

Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. ASHBROOK: A bill (H. R. 11664) granting an increase of pension to James Devall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11665) granting an increase of pension to John Frank Uhl; to the Committee on Invalid Pensions.

By Mr. BEAKES: A bill (H. R. 11666) granting an increase of pension to Byron Wilcox; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 11667) for the relief of Mathilda Peddicord, wife of Henry W. Peddicord, deceased; to the Committee on War Claims.

By Mr. CRAMTON: A bill (H. R. 11668) granting an increase of pension to Hannah J. Clark; to the Committee on Pensions.

By Mr. DAVIDSON: A bill (H. R. 11669) granting an increase of pension to Lawrence Mericle; to the Committee on Invalid Pensions.

By Mr. FARR: A bill (H. R. 11670) granting a pension to A. Josephine Kinback; to the Committee on Pensions.

Also, a bill (H. R. 11671) granting an increase of pension to John J. Bowen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11672) granting a pension to Frances Horan; to the Committee on Pensions.

By Mr. FRENCH: A bill (H. R. 11673) for the relief of John K. Ashley, Jr.; to the Committee on Claims.

By Mr. GRIEST: A bill (H. R. 11674) granting an increase of pension to William D. Campbell; to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 11675) to restore Maj. Robert H. Peck, of the Regular Army, to the place in the lineal list he would have occupied had he not been separated from the service; to the Committee on Military Affairs.

By Mr. HELVERING: A bill (H. R. 11676) granting a pension to George F. Holladay; to the Committee on Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 11677) granting a pension to Samuel L. Lilly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11678) granting a pension to Thomas Newton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11679) granting a pension to Addeline King; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 11680) granting an increase of pension to Jacob Miller; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 11681) granting an increase of pension to Alice A. Thorburn; to the Committee on Pensions.

By Mr. LAZARO: A bill (H. R. 11682) for the relief of the estate of Henry Ware, deceased; to the Committee on War Claims.

By Mr. MONDELL: A bill (H. R. 11683) for the relief of the William Gordon Corporation; to the Committee on Claims.

By Mr. MUDD: A bill (H. R. 11684) for the relief of John Jakes; to the Committee on Military Affairs.

By Mr. NEELY: A bill (H. R. 11685) granting an increase of pension to Samuel Davis; to the Committee on Invalid Pensions.

By Mr. OVERMYER: A bill (H. R. 11686) granting an increase of pension to George W. Hollenbank; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 11687) granting an increase of pension to Myron S. Towne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11688) granting an increase of pension to George W. Silvers; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 11689) for the relief of Marion Banta; to the Committee on Claims.

By Mr. SHERWOOD: A bill (H. R. 11690) granting an increase of pension to Stephen Clifford; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Memorial of the Chamber of Commerce of the United States of America relative to central control of Government war buying; to the Committee on Military Affairs.

By Mr. CRISP: Petition of Colony Post No. 14, Department of Georgia, Grand Army of the Republic, for increase of pension of Union soldiers; to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of the Chamber of Commerce of the United States relative to central control of Government war buying; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Petition of the Boot and Shoe Travelers' Association opposing the increase of second-class postage rates and the zone system; to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Petition of the Presbytery of Monmouth, Ill., with a constituency of 30,000, because of the crying need in these critical times for conservation of food and man power, urging anew and with deepening conviction prompt action in giving the country full war prohibition by new legislative action; to the Committee on the Judiciary.

By Mr. KELLEY of Michigan: Petition of the Ladies' Unity Club, of Walled Lake, Mich., protesting against zone rate of postage on second-class mail matter; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petition of Levenson & Zenitz, of Baltimore, Md., against passage of House bill 10591, relative to regulating selling on installment plan; to the Committee on the District of Columbia.

Also, memorial of the Baltimore (Md.) Chamber of Commerce, favoring exemption of the Interstate Commerce Commission from the operations of the Overman bill; to the Committee on Military Affairs.

Also, petition of the Women's Civic League of Baltimore, Md., favoring passage of House bill 6499; to the Committee on Education.

Also, petitions of P. F. Collier & Son and the Enoch Pratt Free Library, of Baltimore, Md., against the zone system for periodicals; to the Committee on Ways and Means.

Also, petition of Baltimore (Md.) Belting Co., favoring amending food-control bill to embrace other commodities, including hides and leather; to the Committee on Agriculture.

By Mr. MAGEE: Petition of the Syracuse Assistant Pressmen and Feeder's Union, No. 32, protesting against the zone system of postal rates; to the Committee on the Post Office and Post Roads.

By Mr. RANDALL: Resolution of the California Federation of Women's Clubs, in session at Oakland, Cal., and endorsed by the Friday Morning Club of Los Angeles, petitioning the President and Congress to immediately prohibit the beverage-liquor traffic as a war measure; to the Committee on the Judiciary.

By Mr. SNELL: Resolutions of the senate of the State of New York, that this legislature associates itself with the public's progressive enlightened demand for the retention and extension of the mail-tube system as a necessity of the post office and a relief to the congestion of the already overcrowded thoroughfares of our larger cities; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: Petitions favoring partial payments of war excess and profit taxes from the Ford Manufacturing Co., Waterford, N. Y.; Broder & Co., Max Greenburg & Co., New York; H. A. Meldram Co., Sinclair, Rooney & Co., the William Henger Co., Buffalo, N. Y.; Franklin D'Olier & Co., Notaseme Hosiery Co., Jacob Miller Sons Co., Schell, Longstreth & Co., Philadelphia, Pa.; Shaker Knitting Mills Co., Chicago, Ill.; to the Committee on Ways and Means.

By Mr. STINESS: Petition of 119 citizens of Rhode Island, favoring adequate punishment for spies and traitors in the United States; to the Committee on the Judiciary.

By Mr. TILSON: Petition of the Wallingford (Conn.) Central Labor Union, favoring the election of and recall of Federal judges by the people; to the Committee on the Judiciary.

SENATE.

THURSDAY, April 25, 1918.

(Legislative day of Wednesday, April 24, 1918.)

The Senate met at 12 o'clock noon.

The Vice President being absent, the President pro tempore assumed the chair.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Jones, Wash.	Nugent
Baird	France	Kirby	Overman
Bankhead	Gallinger	Lenroot	Page
Beckham	Gerry	Lodge	Pointexter
Brandegee	Gilson	McCumber	Pomerene
Chamberlain	Hale	McKellar	Ransdell
Culberson	Harding	McLean	Saunders
Cummins	Hardwick	McNary	Shafroth
Curtis	Henderson	Martin	Sheppard
Dillingham	Hollis	Nelson	Sherman
Fall	Johnson, Cal.	New	Smith, Ariz.
Fernald	Jones, N. Mex.	Norris	Smith, Ga.

Smoot
Sterling
Sutherland
Swanson

Thomas
Thompson
Tillman
Trammell

Underwood
Vardaman
Wadsworth
Walsh

Williams
Wolcott

Mr. HENDERSON. I wish to announce that the senior Senator from Nevada [Mr. PITTMAN] is absent in the liberty-loan campaign. I ask that this announcement may stand for the day.

Mr. KIRBY. I desire to announce that my colleague, the senior Senator from Arkansas [Mr. ROBINSON], is detained in the liberty-loan campaign. I wish also to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness, and that the Senator from California [Mr. PHELAN] and the Senator from Tennessee [Mr. SHIELDS] are absent on official business.

The PRESIDENT pro tempore. Sixty-two Senators have answered to their names. There is a quorum present.

LIBERTY-LOAN PARADE.

The PRESIDENT pro tempore. With the permission of the Senate, the Chair will lay before the Senate a communication regarding the liberty-loan parade, which the Secretary will read. The Secretary read as follows:

LIBERTY LOAN COMMITTEE.
Washington, D. C., April 21, 1918.

Hon. THOMAS R. MARSHALL,
Vice President of the United States,
The Capitol, Washington, D. C.

MY DEAR MR. VICE PRESIDENT: Pursuant to the proclamation of President Wilson the citizens of Washington will observe Liberty Day next Friday afternoon with a liberty bond buyers' parade, which will leave the Peace Monument at 2 o'clock sharp.

This will be a parade of all men and women in Washington who have bought liberty bonds of the third issue.

As chairman of the liberty bond buyers' parade committee, I am directed to extend an invitation to you and the Members and employees of the Senate to take part in this practical demonstration of interest in the boys "over there."

I am sure that the participation of the Members of the Senate in this demonstration would be a marked example to the country.

Kindly have this invitation placed before the Senate at its meeting to-morrow, Monday, as the time is short.

Yours, very truly,

CHAS. J. COLUMBUS,
Chairman Liberty Bond Buyers' Committee.

Mr. MARTIN. Mr. President, in order that Senators and the officers and employees of the Senate may have an opportunity to participate in the liberty-loan parade, which commences at 2 o'clock to-morrow afternoon, I move that to-morrow at 1.30 o'clock p. m. the Senate shall stand adjourned until 12 o'clock noon the following day.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

LABOR CONDITIONS ON THE PACIFIC COAST.

Mr. HOLLIS. Mr. President, in the past few days there has been some discussion in the Senate about the Mooney case in San Francisco. I have taken no part in that discussion; I have not investigated the matter and have no opinion as to whether Mr. Mooney was fairly convicted or not; but in view of what has been said about the attempt to create a strike on account of the Mooney case, I desire to place in the RECORD a statement issued by Mr. Gompers, president of the American Federation of Labor, in which he vigorously condemns any effort to incite strikes in connection with the Mooney case.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

The communication is as follows:

STATEMENT ISSUED BY SAMUEL GOMPERS, PRESIDENT OF THE AMERICAN FEDERATION OF LABOR.

WASHINGTON, D. C., April 22, 1918.

The machinations of the prosecution in the Mooney trial justifies the judgment that he was found guilty on perjured evidence; it is greatly regrettable that the California courts refused to consider this claim which was discovered since the trial. Every legal action has been and will be taken by the bona fide labor movement of the United States to secure justice for Mooney. Any attempt to incite a strike of the workers of a trade or industry of a locality, State, or of the Nation, is not only violative of the laws of the national and international unions of America but is repugnant to the rights and the interests of the workers themselves. Such an attempt either to incite or order a local or general strike is unjustifiable and dangerously prejudicial to the lives of our sons and brothers fighting in France for the safety of the homes, freedom, and democracy the world over. In addition, such an agitation as has been inaugurated can only react against Mooney.

Men of labor, let us, with all fair-minded citizens, endeavor to secure justice for Mooney, but let us put forth our efforts on a line that will insure commendation, not condemnation coupled with failure.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 11020. An act to amend and reenact sections 5136, 5137, 5139, 5147, 5172, 5222, and 5230 of the Revised Statutes of the United States; and

H. R. 11283. An act to amend and reenact sections 4, 11, 16, 19, and 22 of the act approved December 23, 1913, and known as the Federal reserve act, and sections 5208 and 5209, Revised Statutes.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 3476) to authorize the extension of a spur track or siding from the existing lines of railroad in the District of Columbia across First Street NE., between L and M Streets, to the buildings occupied by the field medical supply depot of the Army, and it was thereupon signed by the President pro tempore.

TRENTINO REFUGEES IN ITALY.

Mr. CALDER. Mr. President, at the outbreak of this war FIORELLO H. LA GUARDIA, a brilliant young lawyer of Italian parentage and a Representative in Congress from New York City, offered his services to the War Department. He was commissioned a captain in the United States Army, and since October 1 has served in an aero squadron in Italy. Because of his familiarity with the Italian language, he has often been called upon by our ambassador in Italy to speak at many Italian affairs of importance, notably the Italian Parliament, representing the ambassador and our Government. Recently in Milan, after speaking at an immense mass meeting in that city, he was approached by a committee representing the Trentino refugees, who submitted to him a petition setting forth some of their troubles. He has sent this petition to me—I received it in this morning's mail—and I ask unanimous consent that Capt. LA GUARDIA's letter and the petition be printed in the RECORD.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

CAMP OVEST, FOGGIA, ITALY, March 20, 1918.

Hon. WILLIAM CALDER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I inclose herewith copy of translation of a letter which was handed to me by a committee of Trentino refugees at Milan after I had addressed a meeting held under the auspices of the Parliamentary Union at the Scala Theater of that city. I was so impressed with the sincerity and the determination of these unfortunate people that I deemed it worthy of transmitting to you.

Sincerely,

F. LA GUARDIA.

[Commission of Emigration, Trentino. Organized by virtue of the prefectural decree of Apr. 12, 1916, and approved by Royal decree July 25, 1916. No. 1142.]

MILAN, February 4, 1918.

To the Hon. Mr. LA GUARDIA,
Member of the American Congress:

The Trentino refugees in Italy no longer have here their former representatives.

The deputy from Trent, Cesare Battisti, after having preached the necessity of the war in all Italian cities, was made a prisoner while fighting and was hung by the Austrians.

The deputies from Rovereto and from the Trentino Valleys, the mayors and the local authorities, the influential men, are in Austria, either under sentence or interned. They had not fled, believing it their duty to await at their posts the prompt arrival of the liberating army.

At present, therefore, the Trentino refugees in Italy are forming for themselves a vast association, which will unite them all, so that with full authority can be made known to the allies the Italianism and the right of Trentino to become united to Italy and saved from destruction.

In the meantime the Trentino commission of emigration is speaking in their name.

We want the allies all to know that Trentino is a country completely Italian in race, in language, in customs, and that among this solid mass there is not 1 per cent of Teuton; that she has clung desperately to her language; and that her peoples have stood against German violence and German deceit, but that the war has exhausted and destroyed all her material, if not yet her moral forces; and that should she be compelled to remain Austrian we would be irremediably obliterated by the renewed exasperated preponderance of our enemies, the Germans; that they have already confiscated our land and our property; they have deported more than a hundred thousand persons from their country, to their ruin or death.

Trentino is of no value to Austria other than as an arm for dominating Italy; on the other hand, Italy can never live freely with such a wedge in her heart. We are an honest little people, trampled on and crushed, massacred, and dispersed, but who do not wish to perish.

We do not wish to perish, and therefore we must be rescued from Austrian—that is, German—power. We have proclaimed all this loudly and in the face of danger. There is no need of a new plebiscite. This would be to-day a nasty decision.

It has been proclaimed by our deputies elected by universal suffrage. They are dead, incarcerated, or interned, and their voices to-day are stifled. It has been proclaimed by our mayors and our chiefs, including the clergy and the bishop who shared the same fate. It has been proclaimed by the thousands of citizens condemned for high treason and whose property was confiscated; our prisoners who came from Russia, about 2,000, while many thousands have demanded it who are now in part, perhaps, arriving in America from Siberia; all the deported ones have demanded it, but above all our volunteers, who have no voice but who with the ready offer of their lives cry out to the world the will and the needs of Trentino.

All of this we want to say and to prove to the allies, and especially to America and to her great President.

We do not presume to think that our words and our grief can influence the decisions of your country, but since Mr. Wilson, in one of the most noble programs known to history, has solemnly proclaimed the right of small, oppressed nationalities to live, we want America

to know that if there is a little, oppressed people menaced with destruction, solidly Italian, necessary to complete and assure the independence of Italy it is Trentino; that she looks with firm faith to the great American Nation, which proclaims and sustains to-day the rights of peoples as France and America once proclaimed and sustained the rights of the individual, and that she will not withdraw until final and complete victory.

We present these considerations to you personally, trusting that, conforming to your very noble and categorical affirmations for final victory expressed by you, and trusting also to the warm sympathy of America for our country, you will cause to be heard the sorrowful but proud voice of Trentino, ready for every sacrifice, however great, for the triumph of her legitimate and sacred revindication.

CARLO ESTERLE.
FRANCO CRIVELLI.
GINO MARZANI.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 4437) to amend section 11 (a), title 1, Part II, of the act to increase the revenue, and for other purposes, approved September 8, 1916; to the Committee on Finance.

By Mr. KING:

A bill (S. 4438) for the relief of Duchesne and Uinta school districts, in the State of Utah; to the Committee on Indian Affairs.

A bill (S. 4439) to provide for the survey of a national highway connecting certain national monuments in the States of Utah, Arizona, and New Mexico; to the Committee on Public Lands.

A bill (S. 4440) to authorize the judges of the United States Court of Customs Appeals to be assigned to any district or circuit court of appeals of the United States, and conferring the jurisdiction of said courts upon them while so assigned; to the Committee on the Judiciary.

By Mr. REED:

A bill (S. 4441) granting a pension to Charles Edwards (with accompanying papers);

A bill (S. 4442) granting an increase of pension to Louisa Schenk (with accompanying papers); and

A bill (S. 4443) granting a pension to Elizabeth Rider (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China; to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 4445) granting the consent of Congress to Marion and Horry Counties, S. C., to construct a bridge across Little Pee Dee River; to the Committee on Commerce.

INDIAN GRAZING LANDS IN UTAH.

Mr. KING submitted the following resolution (S. Res. 232), which was referred to the Committee on Agriculture and Forestry:

Whereas in the counties of Duchesne and Uinta, in the State of Utah, there is a large body of Indian lands known as Indian grazing lands, which has not been allotted in severalty to the Indians of the Ute Tribe, which lands adjoin the Ashley National Forest in the State of Utah; and

Whereas said lands are valuable for grazing purposes and contain areas which are also specially adapted to agricultural use and occupation; and

Whereas said lands are not being utilized for any beneficial purpose and are excluded from the use of the white settlers in said counties; and

Whereas the said Indians, for whose use said lands have ostensibly been set apart, are unable to occupy or make any economic or beneficial use of the same; and

Whereas said Indians, for whose use said lands have been segregated and set apart, are not making an economic or adequate use of said lands, and will not in the future be able to make an economic or adequate use of said lands: Now, therefore, be it

Resolved, That the Secretary of Agriculture be, and he is hereby, directed to report to the Senate the present status of the said so-called Indian grazing lands in Duchesne and Uinta Counties, Utah, and what means may be taken to extinguish the Indian title to said lands and open the same to use, settlement, and occupation, and whether it is convenient and advantageous to add said lands, or any part thereof, to the Uinta National Forest.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On April 22, 1918:

S. 3358. An act to amend the emergency shipping fund provisions of the urgent deficiency appropriation act approved June 15, 1917, so as to empower the President and his designated agents to take over certain transportation systems for the transportation of shipyard and plant employees, and for other purposes.

On April 23, 1918:

S. 4292. An act to conserve the gold supply of the United States; to permit the settlement in silver of trade balances adverse to the United States; to provide silver for subsidiary coinage and for commercial use; to assist foreign governments at war with the enemies of the United States; and for the above purposes to stabilize the price and encourage the production of silver.

HOUSE BILLS REFERRED.

The following bills were read twice by their titles and referred to the Committee on Banking and Currency:

H. R. 11020. An act to amend and reenact sections 5136, 5137, 5139, 5147, 5172, 5222, and 5230 of the Revised Statutes of the United States; and

H. R. 11283. An act to amend and reenact sections 4, 11, 16, 19, and 22 of the act approved December 23, 1913, and known as the Federal reserve act, and sections 5208 and 5209, Revised Statutes.

REORGANIZATION OF EXECUTIVE DEPARTMENTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3771) authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government.

The PRESIDENT pro tempore. The Secretary will report the pending amendment.

The SECRETARY. The pending amendment is the last amendment proposed by the Committee on the Judiciary which was passed over, and is to be found on page 2, line 23, after the word "executive" to insert the words "or administrative."

Mr. GALLINGER. Mr. President, I have not occupied any time in the discussion of this bill, and for that reason I feel justified in taking a very few minutes to discuss a matter which is somewhat foreign to the amendment that has been submitted, but which nevertheless has an indirect bearing upon the legislation which is now under consideration.

In a recent issue of the Manchester (N. H.) Mirror, a widely read Republican newspaper, under the caption "Congressional slacking," appears the following editorial, which I ask to have read from the desk, after which I will occupy a few minutes in pointing out its glaring inaccuracies. I ask that the article may be read.

The PRESIDENT pro tempore. Is there objection? The Chair hears none and the Secretary will read.

The Secretary read as follows:

The conduct of our national law makers for the last few months has justified the accusation that of all the important war factors in the United States Congress is the only one that has not yet put itself on a war basis.

Congressional methods were never anything to brag about in times of piping peace.

When Congress continues to function on the same old ineffective plane in the midst of the world's supreme crisis, it becomes intolerable.

A Massachusetts Congressman not long ago got up in meeting and told his colleagues what he thought of their frittering away of precious time, their loafing in committee rooms, their endless postponements, their political scheming, their elaborate faultfinding with other departments of Government while neglecting constructive action of their own and refusing to pass bills imperatively needed for the prosecution of the war.

After that speech the House spent two whole days in vocal condemnation of the offending Member.

And nearly every other Member must have known, nevertheless, that most of his strictures were true.

Washington correspondents say that the law makers among themselves frankly recognize their failure so far in this session, and even "laugh and joke about it," that their pose of injured dignity under criticism is for public effect.

However that may be, the record thus far is a shameful one.

Congress neglected to pass legislation enabling the Government to issue its third liberty loan until the Secretary of the Treasury, in despair, only a few days before the date for opening the loan, forced its hand by arranging and publishing the terms and conditions of the loan without authority.

Congress has persistently refused to do anything about the second Army draft until time for starting it has passed, and the War Department has been compelled to inaugurate it by makeshift methods.

Measures meant to give the executive department needed authority for departmental reorganization have dragged along interminably.

Appointments have been held up.

Imperative appropriation bills have not been passed.

Laws for dealing adequately with spies and traitors are still lacking. It has almost seemed, at times, that Congress has stopped functioning.

There are some signs of improvement now, due possibly to the fact that the menace of the big German drive has penetrated to some congressional minds not hitherto awakened.

There is room for much more improvement.

And if it doesn't appear soon, the country will deal very drastically, in the fall elections, with numerous Congressmen of both parties.

Mr. GALLINGER. Mr. President, I have examined the CONGRESSIONAL RECORD in connection with the matter which the editor of that paper makes the statement that two days were con-

sumed in the other House in debating something connected with a Member of that body, and I discover that one hour was occupied by a Member of the House in a speech which he made, and that was the amount of time which was consumed. There is quite a difference between one hour and two days.

As to the liberty loan, it is perfectly well known to every Member of this body that the arrangements were not made for launching that loan until the time arrived when it was launched, because of the fact that the Secretary of the Treasury was undecided in his own mind what rate of interest the bonds should bear. Hence, Congress was not in any way responsible for a delay in that matter, and the loan could not have been launched any sooner than it was under the circumstances which then existed.

Mr. President, at the present session of Congress there have been passed and approved by the President 58 public laws and resolutions, 36 of which are essentially war measures, and the others bear a close relation to the war.

Two other war bills are now in the hands of the President awaiting his signature, and there are in conference, and will soon be enacted, four other purely war measures.

In addition to the above, each House has passed a number of war bills that are now under consideration by the other House, and which will doubtless soon become laws.

Regarding the matter of appropriations, concerning which the newspaper editorial finds fault, the facts are that both Houses have acted on appropriation bills, as follows: The Agricultural appropriation bill, carrying \$28,291,283; the Indian appropriation bill, carrying \$11,119,850; and the legislative appropriation bill, carrying \$70,023,965.75, all of which are now in conference. The Diplomatic and Consular appropriation bill, carrying \$7,937,376.66; the urgent deficiency appropriation bill, carrying \$5,356,666.016.93; and the further urgent deficiency bill, carrying \$731,901,789.46, have become laws. The total amount appropriated by those measures is \$6,205,940,281.80, to which may be added very large amounts carried in general legislative bills, such as \$50,000,000 for the Shipping Board housing bill, and another bill that has passed the House and is now under consideration by the Senate, which will doubtless be passed in a few days, makes a further appropriation of \$60,000,000 for housing purposes, and it is understood that another deficiency bill will soon be acted on.

Mr. President, the plain, palpable truth is that the number of important measures already enacted into law, designed to strengthen the hands of the President in the vigorous prosecution of the war, for all of which bills I have voted, should satisfy every reasonable man that Congress has done its full duty, and it greatly surprises me that so influential and careful a newspaper as the Manchester Mirror should join in the cry that Congress is culpably negligent in the matter of war legislation—an assertion that the record absolutely disproves. If there is any "slacking" in the prosecution of the war, it is not in Congress, and this foolish charge, iterated and reiterated in the press, should be stopped, and the blame placed at the door of those responsible for whatever delays or mismanagement may exist.

Mr. McCUMBER. I wish to ask the Senator if a single department has had to wait one minute for money necessary to carry on this war?

Mr. GALLINGER. So far as I have observed, and as a Member of the Committee on Appropriations I have looked into that matter somewhat, the question the Senator asks answers itself. No department has had to wait. On the contrary, more money has been appropriated than has been used, and no interest is suffering because of the lack of prompt action on the part of Congress in the matter of appropriations.

Mr. GALLINGER subsequently said: Mr. President, earlier in the day I made some brief observations on the appropriations made during the present session. I have in my hand an address delivered by the senior Senator from Massachusetts [Mr. LODGE] on October 11, 1917, before the Massachusetts Historical Society, entitled "Recent Congressional Legislation," which deals with matters of that kind. I ask unanimous consent to have it printed in the Record.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The address referred to is as follows:

[Address of Senator HENRY CABOT LODGE before the Massachusetts Historical Society, October 11, 1917.]

RECENT CONGRESSIONAL LEGISLATION.

"I have not had the pleasure and satisfaction of presiding over a meeting of the society since last November. This enforced absence, however, has been my misfortune and not my fault. I have been the victim of circumstances. But I have

felt that after this long interval, if I could have the indulgence of the society, I should like to say something in regard to the events of the past year. That period has been signalized by one of the greatest events of modern history and it has been a year crowded with great events. I refer, of course, to the entrance of the United States into the world war. When Canning uttered his famous declaration in the House of Commons, that he would call in the New World to redress the balance of the old, he little thought how that declaration would be carried out. We have entered the war and we are now engaged in the great effort to redress the balance of the Old World.

"I am going to say a few words about what led up to this momentous action on the part of the United States and what has been done since. It will be remembered that the last election turned and was decided upon the assertion that the President had kept the peace, and that he would continue to keep the peace. Many Democrats, I think, voted for the Republican candidate, but many more Republicans voted for Mr. Wilson on the sole ground that he had kept the peace, and although the margins in many States were narrow the result was decisive.

"The President, on the 18th of December, almost immediately after the assembling of Congress, sent to the powers, the other nations of the world, what was known as the 'peace note,' which seemed to be the logical deduction from the election which had just taken place. It so chanced that the note appeared almost simultaneously with Germany's first attempt to bring about some sort of German peace, an unlucky coincidence. The President followed up his note by an address to the Senate in favor of a league for peace, what might be called a peace plan. That was on January 22, 1917. Both the peace note and the peace plan brought forth much criticism and caused but little satisfaction here. It is not, therefore, without interest in this connection to consider for a moment their reception in Germany which does not seem to have accorded entirely with the enthusiasm of Count Bernstorff, who in a New York newspaper compared the President's note to the Star of Bethlehem.

"There has just been published a book entitled 'My Four Years in Germany,' by Mr. Gerard, which is very interesting and very instructive as to the effect of the President's position in the winter of 1916-1917 upon German opinion. It appears from Mr. Gerard's book that all the leading members of the Government as well as the German press—and I suppose Germans generally, although that does not matter—all felt that after the election carried upon the peace issue, and after the President's peace note, there was no possibility of the United States going into the war; that neither the President could advise war nor that the people would follow him into war if he should advise it. They were also dissatisfied with the 'peace plan' because it was not in every respect as consonant with German plans and as thoroughly friendly to Germany as they expected and desired it to be.

"This attitude of the German mind is an interesting illustration of the point at which the Germans have been curiously inefficient—their utter failure to form any just judgment of the psychology of other nations. They were perfectly confident that England would not come into the war. They believed England to be on the verge of civil war, and it broke on them with a shock of tremendous surprise when England went unitedly into the war upon the invasion of Belgium. We learn from Mr. Gerard's book that a similar surprise was occasioned in Germany when we acted and went to war with practical unanimity.

"I do not think that the fact of this German belief in our determination to have peace at any price was decisive of their action; I believe that they would have taken the same action in any event, but they were nevertheless proceeding upon that belief. They followed up the President's plan for peace by declaring a new submarine zone, and stated in their note to us that we could send one ship, painted as nearly as one could make out like a barber's pole, once a week to some given port, but that with this insulting exception they were going to make the new submarine campaign ruthless and all destructive. The chancellor stated that this new campaign had been delayed merely because they were waiting until they had completed a sufficient number of submarines. Perhaps you may not all realize just what that statement meant. It meant that the assurances which they had given to this country after the *Sussex* incident were absolutely false and that every note they wrote was false, and that they knew them to be false and meant them to be so; that they had no idea of carrying out any one of those assurances. Therefore, when they issued their declaration of the new zone they, of course, broke all the assurances which they had given this country, and thereupon the President severed relations with Germany on the 3d of February, 1917.

"The Congress was then drawing toward its last days. It was a period of very deep anxiety and very severe strain, because it was not at all clear what we were going to do. The President asked for authority from Congress to arm merchantmen. A bill for that purpose passed the House and came to the Senate in the closing days of February. It was reported unanimously from the Foreign Relations Committee, but in the Senate a resistance in the form of parliamentary obstruction developed on the part of a small group of Senators, who have since, with a few exceptions, been resisting or seeking to injure directly or indirectly all war legislation. Owing to the fact that we were in the last day of the session the cloture could not be applied; there was not time for it, and there was, therefore, no method of giving the President by law the authority asked for. I was inclined myself to agree with him that he could have armed the merchantmen without specific authority from Congress. The importance of congressional action, it seemed to me then, was that in this way we gave the crews of merchantmen and all men on board a military status and took them out of the possibility of being treated as pirates. There was a defect in our existing laws which ought to have been covered. But however that may be, the bill failed and Congress adjourned.

"The President at first was inclined not to call the new Congress until the last possible moment. There were three large regular appropriation bills which went over, and this made it necessary in any event to summon Congress before the end of the fiscal year, which was June 30. But overt acts continued to be committed by the German Government, and on the 21st of March the President called Congress in extraordinary session. Congress convened on the 2d of April and the President came before the Houses that same evening and delivered the message which all the world read, a most admirable message and a very powerful statement of the American case. Four days later Congress passed the war resolution declaring that a state of war existed with Germany, and it was at once signed by the President.

"As I have been to a certain extent a participant in what has happened since that time, I thought that the society would permit me to call attention to the conditions we in Congress were obliged to meet and to what we have done. You see reports from day to day in the newspapers, but perhaps the facts have not been all brought to your attention in a single statement.

"It is to be remembered, in the first place, that we were practically wholly unprepared. There was a strong movement for preparation immediately after the war in Europe opened in 1914. At that time the President discountenanced the movement and referred to those who were urging preparation as nervous and excited. A year later he had changed his mind, and he made, as you all recall, a tour through the country strongly urging preparation. The Secretary of War had a plan for increasing the Regular Army, having what he termed a "continental army" as a reserve, of 400,000 men, and also for making large expenditures for munitions. Unfortunately, the chairman of the House Military Committee, Mr. Hay, of Virginia, who has since been made a judge, had held that position for many years and had always resisted doing anything for the proper increase of the Regular Army. He, too, had a characteristic plan which really did nothing, and the President accepted Mr. Hay's plan. This resulted in the retirement of Mr. Garrison from the Cabinet. I think that I am speaking within bounds when I say that Mr. Hay by his policy did more injury to this country at a great crisis than any one man I have ever known of in either branch of Congress. Therefore, when war was declared two precious years had been wasted and practically nothing done in the way of preparation for the Army. Even the Regular Army appropriation bill for this year had not been passed on March 4. It was one of the bills which had gone over.

"The Navy fared better. The chairman of the House Committee on Naval Affairs is Mr. PADGETT, of Tennessee; he has been for many years chairman of that committee, has a remarkable knowledge of everything connected with the Navy, and is a very wise and liberal-minded man. Mr. PADGETT in 1916 prepared a bill which had in it a good deal of legislation in addition to the appropriations, and in due course it came over to the Senate. It so happened that I was one of the subcommittee of two to whom the bill was referred, and as the full committee adopted the bill without a change, and as the Senate subsequently adopted the committee bill without a change, I think I may say that Senator SWANSON, of Virginia, who, owing to the illness of Senator TILLMAN, was the acting chairman of the committee, and to whom the country owes a great debt, and I really framed the Senate amendments, 250 in num-

ber. I mention this merely because I am trying to show what happened to the Navy and what a benefit even this one year of preparation proved to be.

"The naval bill of 1916 was really a great legislative measure with incidental appropriations. We legislated for the Naval Reserve; we created the Naval Militia; we provided for taking over in time of war the Revenue-Cutter Service and the Coast Survey Service. We revised the law in regard to the personnel of the Navy, regulating promotions, and a vast mass of other detail legislation, all making for the preparation of the Navy. We appropriated \$313,000,000, covering the largest program ever made in this country, and as large, I think, as has ever been made in almost any country for a single year, and it seemed at that moment a very large amount. To-day it seems very moderate.

"That bill passed in August, 1916. Last winter we passed another naval bill with comparatively little legislation in it, for not much was needed, but we increased the appropriations. We gave the President \$150,000,000 for the purchase of submarine chasers and patrol boats and to expedite the building of vessels already contracted for, and we made further large authorizations. This bill appropriated over \$500,000,000. It was the 3d of March when that bill became law, only a month before war was declared. The other bill was passed less than a year before. Yet the fact that even this amount of preparation had been made has been of incalculable value. And if you will pause a moment to think you will recall how little has been said about preparation in the Navy since the war began and comparatively little money voted—I say comparatively—a good many hundred millions have been added, but comparatively it has been little. The Navy was able to move at once. Before April had expired we had destroyers on the coast of Ireland, and we have been adding to them steadily, until now we have a very formidable fleet of that character on the other side of the water.

"There has been a great deal done in Congress in addition to this. Great powers have been granted to the President, necessary powers, as I think, wisely granted, as I hope. We have created a Shipping Board with enormous powers and enormous appropriations, which is taking over practically all the shipping of the United States. We were very unfortunate in the man who was first made chairman of that board—Mr. Denman, of California. I do not need to go into details; it is enough to say that his operations in the board caused a delay of something like five months, and instead of beginning to get vessels early next spring we shall be lucky if we get any by next July.

"We also established a Food Commission and a Coal Commission, and they are engaged in an experiment which is to me of immense interest. History tends to show that all attempts at price fixing have been failures, but we are now attempting to lower prices—not only to fix prices but to lower prices except labor prices and costs—and at the same time to stimulate production, increase confidence, reduce profits, and place huge loans. I am anxious to see how well it works. It is an ambitious program. If it works successfully it will be a great benefit, but I venture to think that there are risks and uncertainties connected with it.

"We have also a commission on railroad transportation to determine priority of shipments.

"The part of all this work with which I came in closest contact was that which fell upon Congress, the work which Congress was called upon to do, and which could be done only by Congress. Congress has its defects; nobody is more aware of them than I, but sometimes it is without reason made a pack-horse for every fault that can be found or imagined. The newspapers steadily charged Congress with intolerable delay and that we were wasting time in discussions. The best answer to this charge is to state what Congress actually has accomplished. I might say in addition that Mr. Balfour and the heads of other missions who were here spoke not only in praise but with wonder at the amount that was accomplished in Congress; and the newspapers, I think, in getting impatient of debate, hardly stopped to consider that we could not pass and ought not to have passed without discussion bills which entirely revolutionized what we are pleased to call our constitutional privileges and rights, and that it was inevitable and proper that there should be some discussion about them. Delays, grievous delays, there have been but not in the legislative branch of the Government.

"Now, as to this question of congressional delay. I shall not take long, but I think it may interest the society to know what the Congress has actually done since the declaration of war on

the 6th day of April. We first passed a general deficiency appropriation act appropriating \$163,000,000, of which \$100,000,000 was for national security and defense and for each and every purpose connected with the war.

"We passed an act authorizing the issue of bonds to meet measures for national security. This act appropriated \$3,000,000,000 for establishing credits for foreign governments and \$2,000,000,000 to meet domestic expenditures, and a certain additional amount to consolidate and take up some small outstanding loans.

"We passed an act giving an additional midshipman to each Senator and each congressional district.

"We passed the regular appropriation act carrying \$223,000,000 for the support of the Army for the regular fiscal year.

"We passed an act authorizing the President to increase temporarily the Military Establishment of the United States—this was the act which authorized the selective draft of a million men—and there was a great deal of subsidiary legislation connected with it. Members will recall that it took England and Canada some three years to pass conscription acts.

"We passed a resolution authorizing the President to take over for the United States shipping owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war. This covered the German vessels, something over 500,000 tons. They are now all in the service, practically, and serving as transports for our troops.

"We passed an act to increase the commission and warrant and enlisted strength of the Navy from \$7,000 to 150,000 men and of the Marine Corps from 17,000 to 30,000.

"We passed the regular act making appropriations for the Military Academy.

"We passed an act amending the war-risk insurance act; and then the regular act appropriating \$147,000,000 for the sundry civil expenses.

"We passed the deficiency bill appropriating \$3,281,000,000 for the Military and Naval Establishments, and this act appropriated, among other things, \$405,000,000 for an emergency shipping fund.

"We passed an act to punish acts of interference with foreign relations known as the espionage bill. It contained really 12 different bills which had been introduced on these subjects, consolidated into one measure.

"We passed an act—I am leaving out many small ones—we passed an act appropriating \$640,000,000 to increase temporarily the Signal Corps of the Army and to purchase, manufacture, maintain, prepare, and operate airships; and also an act in connection with it authorizing the United States to take possession of a site for a permanent aviation station.

"We passed the river and harbor bill, carrying \$27,000,000, which looks very moderate at this time.

"We passed an act enlarging the Interstate Commerce Commission;

"An act appropriating \$11,346,400 to stimulate food production;

"An act known as the food and fuel act, appropriating \$162,500,000 for the conservation of food products and fuel;

"An act to authorize an additional issue of war bonds. This is the second bond issue, under which the present loan is being made. This act makes an additional appropriation of \$4,000,000,000 to extend credit in the United States to our allies and for the expenses incident to the preparation and issue of bonds and certificates; and it authorizes an additional issue of \$3,000,000,000 of bonds to meet the loans to foreign governments—that covers the \$3,000,000,000 of the first act—and an additional issue of one-year certificates of indebtedness beyond the \$2,000,000,000 and an issue of five-year war-saving certificates, making \$5,000,000,000, carrying all together \$7,000,000,000 of new loans.

"We have just passed an act appropriating \$5,650,000,000 to supply deficiencies in the appropriation for the fiscal year 1918. This is the largest appropriation act ever passed by this or any other country.

"We passed an act to define, regulate, and punish trading with the enemy, and for other purposes, which appropriates \$450,000. That is the 'trading with the enemy act,' a very important act.

"We passed an act to provide revenues to defray war expenses, and for other purposes. This provides approximately \$2,500,000,000 of revenue to defray the expense of Government. That is the tax bill, of which I shall say a word presently.

"We passed an act to provide a military and naval family allowance, compensation and insurance fund, known as the soldiers' insurance act.

"Finally, a further act authorizing the Shipping Board to license the use of vessels of foreign registry and construction for the coastwise trade for the period of the war and 120 days thereafter.

"I think this is a very remarkable list of measures which have been passed in six months. The bill which caused the greatest difficulty and consumed the most time was the revenue bill. Bills to spend money and bills to borrow money reaching into the billions passed in a few days and sometimes in a few hours. There was no opposition to either spending or borrowing in Congress or in the country so far as we could see. But when it came to imposing taxes the scene changed and cheerfulness and unanimity disappeared. The bill came over from the House on the 25th of May, and the Committee on Finance, of which I happened to be a member, had that bill for over two months in committee, meeting every day for six or seven hours a day—literally every day. We then had three weeks of debate in the Senate, where there were differences of opinion which had not appeared before on the bond bills and the appropriation bills, and it then went to conference, where it remained for nearly three weeks, and which was the most disagreeable part of the whole business. The House appeared to be obstinate; the Senate, of course, was firm. The result was a great deal of debate, which filled whole days for three weeks, including Sundays. The result is that we have now imposed upon this country for the fiscal year 1917, including the taxes already imposed by existing law, between \$3,800,000,000 and \$4,000,000,000, a larger sum to take from a people in taxation than has ever been attempted by any nation in the world. I was one of those who thought that we went too far; that we went beyond the line of safety in the taxation of profits and of incomes; and I am afraid we have done so, but we had great difficulty in holding the rates at the figures established by the committee. To give you an idea of what these taxes amount to, the percentage of expenditures to be raised by direct taxation is 36.02 per cent. The highest proportion of taxes to loans in providing for expenditures in time of war was in the last year of our Civil War, when we raised as much as 30 per cent of the expenditures by taxation. We are now raising 36.02 per cent, and the percentage to be met by Government obligations is 63.98 per cent. The percentages raised by direct taxation by other countries involved in the present war after three years of war are:

	Per cent.
England	26
France	14.12
Germany	14½
Canada	8

"It is, of course, sound finance to take a large proportion of the expenditures from taxation, but this principle can easily be carried too far, can in fact be made ruinous. And what a strong element in Congress were disposed to overlook was the fact that it was essential to our financial stability and success to keep business as productive and active as possible. For that purpose you must have a certain surplus, so that business can extend and maintain itself. You also must look to that same surplus for all your loans. There was nothing else to do, nowhere else to go for money. When I tell you that it required a great effort and a strong contest in the Senate to defeat a proposition to put a tax of 76 per cent flat on all profits, war profits and peace profits alike, you can see that we have not been as excessive as some people desired, because there were Members of both House and Senate who thought this was an excellent time to seize upon 'criminal wealth.'

"Men, munitions, and money are the essential things. We have the money; the munitions, I am sorry to say, are only beginning to come in. I will give you one example which will give you an idea of what lack of preparation means. The departments came in on the 2d day of July and furnished us their estimates for the coming year—\$5,563,000,000—and we passed our original revenue bill, which was confined to war profits, on those figures. Twenty days later the heads of departments came in with additional estimates for appropriations reaching nearly six billions. When the last appropriation bill had passed, between the time that it came to the Senate and while the Senate committee had it under consideration for a report, they brought in \$700,000,000 additional estimate. One item let me speak of as an illustration. We had been told in past years that we were well off in field artillery. They came before us—Gen. Crozier, the head of the Ordnance Department, and others—came before us when these great estimates came in—additional estimates—and informed us that for an army of a million men we needed 16,000 pieces of field artillery, the bulk of them 3s, which correspond to the French 75s; but all kinds, including mortars and up to as heavy as 9-inch guns, which would take

a year to make. We actually had 600 pieces of field artillery, only enough to train our troops here, and when war was declared no shells to speak of.

"Of course, this lack of preparedness has increased the expenditure enormously, because everything has to be done in such haste and in the most expensive way, but still, slowly with much stumbling and confusion, it is being done.

"I thought perhaps these figures—although figures are dry—might be of interest as a contemporary historical record in our proceedings.

"Before concluding, I wish to say one word about the situation as it appears to us in Washington. It is the intention of the President and the administration at this time, I know, to carry this war through; and that is the intention of the overwhelming majority in Congress; the settled purpose of many who were very reluctant to go to war as well as of many who thought we ought to have gone to war long before the time when we did. The Government, Congress, and President mean to carry the war through. Yet we see the newspapers filled with talk about peace, which all comes directly or indirectly from the enemy; it either emanates from Germany or is accidentally very like what the Germans are suggesting. We have had a note from the Pope, we have had resolutions in Congress, and we have had a great deal of general irresponsible talk about peace. This talk all proceeds, with slight variations, on the basis of the status quo ante bellum. To my mind—and I know this is the view of the administration—every man—the President, who delivered the war message, and Congress, who voted for war—would be guilty of the blackest of crimes if they were willing to make a peace on the status quo ante bellum and recreate the situation which existed before the war. If we send our armies and our young men abroad to be killed and wounded in northern France and in Flanders with no result but this, our entrance into war with such an intention was a crime which nothing can justify. The intent of Congress and the intent of the President, which I saw he reiterated only day before yesterday, was that there could be no peace until we could create a situation where no such war as this could recur. To make peace on the basis of the status quo ante bellum simply means that Germany will have a breathing space and the whole horror will come over again, with the chance that we shall not be all united as we are now. We must have peace and victory; complete victory; no other will stand or be worth having.

"The President in his letter to the Pope stated what is the absolute truth—that we have no one now we can negotiate with. We can not negotiate with a government which has declared that treaties are scraps of paper to be torn up when it feels like it. We can not make peace in the ordinary way. We can not in the first place make peace, except in company with our allies. There may be no written conventions or treaties, but it would brand us with everlasting dishonor and bring ruin to us also if we undertook to make a separate peace. Therefore there is only one alternative, and that is to bring Germany to her knees and force upon her a peace which we shall dictate and which will make the world safe—not merely safe for democracy, but safe for all the allied free countries to pursue their own way in security and work out their own salvation.

"If we had not gone into this war and Germany had won it we should have been the next victim and we should have been compelled to fight alone. We must win the war, we shall win this war. Of the final result I have no sort of doubt. But the feeling in Congress—I mean of the great majority of both Houses—is that any peace at all at this time or any argument for peace at this moment is little short of hostility to the United States and is distinctly helpful to Germany. Those charged with the responsibility of Government feel very strongly that the hour has not come for talk, idle talk about peace on German terms. I am sure that such is the feeling of the administration—as sure as I can be of anything which has been directly told to me. This is the situation in which the country stands to-day; this is the legislation which Congress has passed.

"I have taken much more time than I intended, but I trust the society will not think the hour misspent. I shall take the liberty of adding a financial statement by Senator Smoot, of Utah, the highest and most careful authority on this subject in the Senate.

APPROPRIATIONS, ESTIMATED RECEIPTS, ETC.
[Statement prepared by Senator SMOOT.]

The direct appropriations made for the fiscal year ending June 30, 1918, total..... \$18,879,177,014.96
There have been contracts authorized by acts of Congress, in addition to direct appropriations, to be met by future appropriations by Congress amounting to..... 2,511,553,925.50

Included in the direct appropriations are the following items that will not be paid out of the appropriations authorized and for advances to foreign countries, which will be paid back to our Government with interest:

The first war-risk insurance act, later repealed.....	\$10,000,000.00
The sinking fund never set aside.....	60,000,000.00
Loans to foreign countries.....	7,000,000,000.00
Interest on loans to foreign countries.....	170,000,000.00

Total.....	7,240,000,000.00
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Appropriations made.....	18,879,177,014.96
Deductions not direct payments for Government expenses.....	7,240,000,000.00

Actual Government expenses for year appropriated for.....	11,639,177,014.96
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Revenues to be raised under existing laws:	
From acts in force before this present extra session of Congress.....	1,333,500,000.00
From the revenue act passed this session.....	2,534,870,000.00
From post-office receipts (provision for expenses of the Post Office Department is included in the annual appropriations).....	325,000,000.00

Total revenue.....	4,193,370,000.00
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Appropriations for expenses of the Government.....	11,639,177,014.96
Revenues of the Government.....	4,193,370,000.00

Balance to be provided for.....	7,445,807,014.96
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The act of Sept. 24, 1917, authorizes an additional issue of bonds to meet expenditures of the Government of.....	3,538,945,460.00
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From this it will be seen that the appropriations already made are not covered either by direct taxation or the authorization of a bond issue or other Government obligations amounting to the difference between.....	7,445,807,014.96
And.....	3,538,945,460.00

Or a balance of.....	3,906,861,554.96
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"The next Congress will no doubt provide means for meeting this uncovered amount.

Per cent.

The percentage to be raised by direct taxation is.....	36.02
The percentage to be met by Government obligations.....	63.98
The percentages raised by direct taxation by other countries involved in the present war, after three years of continuous and bloody war, are as follows:	
England.....	26
France.....	14½
Germany.....	14½
Canada.....	8

"I also add some tables giving a few details of distribution and some comparisons relating to the appropriations of this memorable year. I am sure that these tables and Senator Smoot's statement will be found very valuable for future reference:

APPROPRIATIONS.

Military Establishment and War Department, including sums in the Army, Military Academy, deficiency, fortifications, and other acts.....	\$7,522,726,441.39
Naval Establishment and Navy Department, including sums in the naval, deficiency, and other acts.....	1,604,840,690.43
Shipping Board and Emergency Fleet Corporation.....	1,040,517,500.00
National defense fund placed at the disposal of the President.....	100,000,000.00
Loans to the allies.....	7,000,000,000.00
Control of foods and fuels and stimulation of agricultural production.....	173,846,400.00

Soldiers' and sailors' insurance and family allowances.....	\$176,250,000.00
Interest on bonds and certificates (estimated).....	200,000,000.00
All other expenses and services, including insurance of merchant vessels and their crews.....	102,047,244.55
Expenses of conducting the civil establishment of the Government, including pensions, etc.....	958,948,738.59
Total appropriations.....	18,879,177,014.96
CONTRACTS OR AUTHORIZATION IN ADDITION TO APPROPRIATIONS.	
Military Establishment.....	\$1,389,452,750.00
Naval Establishment.....	271,851,175.50
Shipping Board and Emergency Corporation.....	849,000,000.00
New building for the Treasury Department.....	1,250,000.00
Total contracts or authorizations.....	2,511,553,925.50
Grand total appropriations and authorizations.....	21,390,730,940.46
Sixty-fourth Congress, second session.....	1,977,210,200.05
Sixty-fifth Congress, first session.....	16,901,966,814.91
Contract authorizations, 1918.....	2,511,553,925.50
Total for fiscal year 1918.....	21,390,730,940.46
Total appropriations, 1918 (exclusive of \$7,000,000,000 loans to the allies).....	11,879,177,014.96
Total appropriations and contract authorizations (exclusive of \$7,000,000,000 loans to the allies).....	14,390,730,940.46

Mr. CUMMINS. Mr. President, I have no great interest in the pending amendment, for I think it makes very little difference whether it is voted in or voted out. The real issue between those of us who want some modification of the pending measure and other Senators will arise upon other amendments which will be offered to the bill. Nevertheless, I feel I ought to say a word with regard to the subject before this amendment is voted upon.

It seems to me that Senators have been very industriously during the last few days occupying themselves in the very ancient and honorable pastime of erecting a man of straw in order to gratify themselves in bruising and battering it around the Senate Chamber. What is the issue between those of us who believe there ought to be a modification of the bill and those who believe there ought not to be any change whatsoever made in it? I heard the very interesting and very excellent discourse of the Senator from Tennessee [Mr. McKellar]. He did not propose a single thing in which I do not heartily concur and for which I shall not vote with the utmost sincerity, if I am given an opportunity to do so. I heard the observations of the Senator from Delaware [Mr. Wolcott]. They, too, were of a practical nature; and I think he is to be congratulated upon his clear and luminous exposition of some of the reforms that are sadly needed; but not a thing did he suggest that meets opposition upon the part of those who insist upon some change in the bill; and he demonstrated anew what we all have known for years, that there ought to be reform in the executive departments of the Government.

I listened yesterday afternoon to the daily lecture of the distinguished Senator from Mississippi [Mr. Williams]. He delivers it about the same hour every afternoon, and I think he ought to introduce some variety into the homily which he addresses to the Senate. It is very clear to me from his eloquent speech that he knows a great deal about a great many things, but his observations demonstrate with perfect clearness that he does not know anything whatsoever about the bill now under consideration and upon which we are to vote. Contrary to the advice and injunction of the orators of the ancient times he is insisting upon making a certain illustration, which he constantly uses, immortal by making it eternal. It has been brought before us so often that I feel that I must give very brief attention to the subject of holes and pegs.

Undoubtedly it is true that there are square holes and round holes in the executive departments. Congress made these holes, some of them round and some of them square, and I assume that it did it with reasonable intelligence; but I should like to ask the Senator from Mississippi, if he were here, who has selected the pegs which are filling these round holes and these square holes? Congress has had nothing to do with the form of the pegs which are to be inserted from time to time in these holes which legislation has made. What power is it that selects the

pegs? What power is it that can remove a round peg from a square hole or a square peg from a round hole? I suggest that before it is insisted very much longer that the whole problem of fighting this war depends upon selecting the right kind of pegs for the right kind of holes, we inquire into the authority which selects the pegs and assigns them to their separate places. We need no additional legislation to select a square man for a square hole; we need no additional authority to be conferred upon the President to enable him to choose a round man for a round hole or a round position. These are things with which the Senate has nothing whatsoever to do, save to confirm, as it does with loyalty and fidelity, from time to time the selections which are made by the President.

I grow a little weary of being lectured day after day upon my disposition toward making the war successful and to select the most efficient agents for its prosecution, when I know that the President has full power with respect to the selection of all the officers of the Government; and I assume, contrary to the inference of the Senator from Mississippi, that he does his very best to fill a square hole with a square man and a round hole with a round man; and if he discovers that he is mistaken in any selection, knowing that he has full authority to lift the peg out of the hole and substitute another for it, he will do so speedily and for the general welfare of the country.

Mr. FALL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. Jones of New Mexico in the chair). Does the Senator from Iowa yield to the Senator from New Mexico?

Mr. CUMMINS. Certainly.

Mr. FALL. Does the Senator know of any law which requires the President of the United States to select for either a round hole or a square hole a peg with a wooden head? [Laughter.]

Mr. CUMMINS. Well, Mr. President, I have concerned myself only with exterior forms, following the course of the discussion that we have heard so frequently, and I have not looked into the interior in order to satisfy myself with regard to the composition of the peg itself. [Laughter.] I want to follow the President so far as it is possible for me to do so; and, if he is satisfied with the peg, I am willing to concede that he has better opportunities than I have to examine its desirability.

What utter absurdity to stand here and condemn and denounce Senators who believe that there ought to be some modification of this bill upon the repeated assertion that there must be unity, there must be concert of purpose, and that we must have the right kind of pegs and the right kind of holes! We can not add to or take from the authority of the Chief Executive with regard to these selections, and this bill does not pretend to do so. I am very glad that the distinguished Senator from North Carolina [Mr. Overman] has at least recognized the Constitution to the extent of not attempting to deprive the President of his constitutional authority to select and nominate and appoint the officers who are to carry on the Government of the United States.

I listened with my accustomed interest to the observations of the Senator from Idaho [Mr. Borah]. He, too, entirely misapprehends the opposition to certain parts of this bill. No one opposes the bill because the power granted in it may be abused. We all understand that if power is necessary for the prosecution of the war we ought to confer it; and we all know that it may be abused. I am not opposing any part of this bill because I fear that the President will abuse the power given him. I assume that he will exercise it honestly, and according to his view of the Government of which he is the head and the necessities which he confronts. Nor am I impressed with the suggestion that because we have drifted into a bureaucratic Government, therefore we ought to grant these extraordinary powers.

I think that the Senator from Idaho is justified in his criticism of the tendency of Congress to repose too much power in bureaus and commissions. He and I have not disagreed with regard to that principle or policy of the Government. That means, however, that the Congress ought to do a vast amount of work which it has hitherto not done; that means that Congress, instead of investing these bureaus and commissions without number with powers and authority over the people of this country, should have legislated directly for their advantage and for their control and guidance. However, it seems to me quite illogical to insist that because we have in times past surrendered too much power to bureaus and commissions we should complete the crime against good legislation by now surrendering to the President of the United States all the legislative power which we can confer upon him.

This bill will not diminish the number of bureaus or the number of commissions; it will simply give to the President the authority to select some new bureau or some new commission to

exercise the functions which we have heretofore conferred upon those agencies which have been created in times that are past.

I come now to state—not to argue, for I have no opportunity, no chance to argue the matter at this time—my objection to this bill; and I believe it the objection of every Senator who proposes to vote against it in its present form. It is this: First, in the negative; I am not opposed to granting the President of the United States the power to coordinate, to consolidate, to transfer within the executive departments of the Government. While I do not think it necessary, and while I think it would be wiser if we would do this specifically instead of generally, I have no opposition to it save this, that I believe the Department of Justice ought not to be included within the blanket power that is conferred.

My opposition arises in this way: We have from year to year in times that are past created certain functions of government, and we have reposed the execution of those functions in commissions or departments entirely removed from the executive branch of the Government. We have done it, because we believed that the people of this country will be better governed and more certainly protected in the administration of the law in that form than in any other. We have created the Interstate Commerce Commission; we have created the Federal Reserve Board; we have created the Federal Trade Commission; we have created the Federal Farm Loan Board; we have created the Civil Service Commission; I need not particularize further, because all Senators have in mind this type of governmental authority. The President never has had any control whatsoever over any of these functions of the Government, save to select the officers who are to perform the various duties imposed upon these bureaus, commissions, and the like. It was in a former day thought to be distinctly wrong—and I am sure I have heard every Senator who stands for this bill declare that it was distinctly wrong—for the President to attempt in any way whatsoever to influence the decision or the conclusion of the bureaus which we have created in the manner I have suggested.

All that I ask is that these functions of government, which have no more to do with the prosecution of the war, with the defense of the country, than has any other activity of any citizen of the land, shall be immune from the operation of this bill. I do not want to give the President the power to transfer the functions and authority of the Interstate Commerce Commission to any person, to anybody, whether commission or bureau or what not. I know that he can not use that power for the prosecution of the war; I know that any attempt to disorganize or to destroy it will weaken the people in the great conflict in which they are engaged.

There has not been a single suggestion that any power that either of these bodies which I have pointed out—and there are many others—now exercise can be used for the better prosecution and more successful management or conduct of the war. The Lord knows I want to make this country as strong as it can be made. I have no other thought or desire in my mind or heart but to carry forward a Government that will utilize the strength of every man, woman, and child in it for the accomplishment of the great purpose to which we are now dedicated for the rescue of the civilization of which we are a part, and I hope a leader.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. CUMMINS. I have stated in this brief way the general ground of the opposition of those who want a modification of this bill.

Mr. OVERMAN. Mr. President, I want to appeal to the Senate to let us adopt this amendment. The real issue, as I understand, will come on the amendment suggested by the Senator from Iowa—probably several amendments with reference to the Interstate Commerce Commission. All the committee amendments but this one have been adopted, and I hope Senators will let this one be adopted. Then I suppose some Senator will introduce an amendment exempting the Interstate Commerce Commission, the Federal Trade Commission, and so forth.

Mr. THOMAS. Mr. President, before discussing the constitutional feature of this measure—for that is the only phase of it upon which I shall detain the Senate—I wish to digress for a moment to commend the President and congratulate the country upon the selection of Mr. John D. Ryan, upon whom has been conferred the great responsibility of the procurement, production, and manufacture of aircraft, and of all matters referring to the industrial side of our aviation program.

The Senator from Georgia [Mr. SMITH] a few days ago very properly spoke in the highest terms of Mr. Schwab, just before then selected to take charge of our shipping program. When I say, from my personal knowledge of Mr. Ryan—and I have known him for many years—that he measures up as fully to the

requirements of his new position as does Mr. Schwab to the requirements of our shipping program, I perhaps say all that is necessary to assure the country that this branch of our war industry, in my judgment, is now placed in apt and efficient hands. I only trust that the President may be equally fortunate in the choice of other individuals upon whom these great responsibilities must rest.

Mr. President, I shall confine myself for a few moments to the consideration of the constitutionality of this measure. If the arguments which have been presented to support the proposition that we have no power to pass the bill be sound, of course it should be rejected, although, if its urgency were so great as to be an absolute essential to the efficient prosecution of the war, we might even then hesitate before finally rejecting it.

There is such a thing, Mr. President, as the laws of war in time of war. It may be difficult to define them, but it is perfectly easy to understand them, by illustration, when required to act. During the Civil War a part of the State of Virginia, opposed to the secession ordinance of that Commonwealth and resolved notwithstanding to remain in the Union, determined, without the consent of Virginia and regardless of constitutional limitations, to organize itself into a separate State and to seek admission into the Union. We know, historically, that that effort succeeded. At the time when the bill for the admission of West Virginia was under discussion in the House of Representatives Mr. Thaddeus Stevens, then the leader of the majority, said:

I understand that these proceedings all take place, not under any pretense of legal or constitutional right, but in virtue of the laws of war and by the laws of nations. These laws are just what we choose to make them, so that they are not inconsistent with humanity.

That, Mr. President, is a very broad, perhaps too broad and comprehensive, definition of the laws of war—that they are just what we choose to make them, so they are not inconsistent with humanity.

Mr. Stevens proceeded:

I say, then, that we may admit West Virginia as a new State, not by virtue of any provision of the Constitution but under our absolute power, which the laws of war give us in the circumstances in which we are placed. I shall vote for this bill upon that theory, and upon that alone, for I will not stultify myself by supposing that we have any warrant in the Constitution for this proceeding.

So that if it were necessary, Mr. President, for the salvation of our country to resort to the laws of war for the enactment of needed legislation we might find ample authority for it in many precedents of the Civil War, and perhaps some precedents in other wars to which the country has been subjected since its creation.

If I understand the arguments against the constitutionality of this measure, they may be summed up in the idea that we are conferring unusual executive powers upon the President, or that we are delegating legislative authority to him, or both.

Mr. President, if this bill purports to invest the President with executive authority, plainly it is beyond our power to do so, because the Congress has no executive authority unless the treaty-making power, a portion of which is conferred upon the Senate, and the power to confirm or reject appointments, which is also conferred upon the Senate, and the power to declare war, may be so considered. The Constitution in express terms declares that the executive authority shall be vested in a President of the United States—the executive power; not a portion of it, but all of it. In dealing with Congress the Constitution declares that—

all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Not all legislative power is conferred upon Congress, but "all legislative powers herein granted" are so conferred. The executive power, however, is without limitation, conferred upon a President of the United States. Hence, any attempt upon the part of Congress to add to or to take from that executive authority would seem to be beyond our sphere and therefore impossible. If this bill sought to add to an executive authority already conferred, therefore it would be an idle task; first, because we have no such power to confer, and, second, because the Constitution itself has granted all of it to a President of the United States.

I must therefore conclude that whatever else may be said against the validity of this proposed measure it can not be attacked successfully upon the theory that it proposes to or can clothe the President with an executive power which he does not already possess as his constitutional prerogative.

There remains, therefore, the question whether we are delegating legislative authority to the Executive which it is beyond our constitutional power to do.

As was well stated by the Senator from Idaho [Mr. BORAH] yesterday, we are conferring no authority, we are conferring no

bureaucratic or departmental power, which has not by preexisting laws been provided for, together with the particular bureau or department which is to exercise it. This bill, unless amendments to it shall be offered, creates no new exercise of power. What it proposes to do is to enable the President of the United States to rearrange and redistribute authority already conferred so that efficiency may result, and a more vigorous prosecution of the war may be possible. I think it may be safely said that Congress might have clothed the President with authority to perform every function which is now performed by the State Department, the War Department, the Treasury Department, the Interstate Commerce Commission, the Federal Reserve Board, and the multitude of other agencies which have been created, and appointments to which, for the discharge of these duties, are made by the President, subject to confirmation by the Senate.

Who can doubt, for example, that in the creation of the Federal Reserve Board Congress, had it been so disposed, might have directly clothed the President with every function exercised by that body, and also clothed him with the authority to designate those who would assist him in the discharge of these duties? If it be true—and I think it can not be questioned—that our original legislation might have been directed to the President himself instead of these various bureaus, then it equally follows that we may now clothe him with the authority to redistribute these agencies, to remove from one department this authority and to clothe some other department with that authority, just in proportion as it may seem to be essential to the unusual duties which now devolve upon the Executive. So that we are merely doing now by this bill something which could have been done in the first instance. Whether it be wise, whether it be expedient to do so, is quite another question; but I am concerned now solely with the proposition whether Congress can constitutionally clothe the President with these powers of redistribution.

Mr. SHIELDS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. THOMAS. I do.

Mr. SHIELDS. I will ask the Senator whether his attention has been called to the statute originally creating the War, Navy, and State Departments, wherein it is provided that these powers, while conferred upon the three Secretaries, are to be executed under the direction and control of the President?

Mr. THOMAS. Oh, yes.

Mr. SHIELDS. So that, therefore, at one time they were all vested in the President.

Mr. THOMAS. Oh, yes.

Mr. SHIELDS. And, furthermore, by amendments, much of the authority now proposed to be vested is vested in the Secretaries. They are all authorized to redistribute the functions of their departments, just as this bill authorizes the President to do.

Mr. THOMAS. Yes, Mr. President, I am familiar with these facts, and also with the fact that in creating the Treasury Department Congress departed from that method of legislation and clothed the Treasury Department directly with powers which were to be exercised not under, but independent of, the control of the President.

Mr. President, certainly centralization is essential to the prosecution of the war. No man can doubt that. In my judgment, it has become highly essential to the effective operation of governmental functions in times of peace. This Government must, and will after the war, be more highly centralized than it has been in times past. The agencies of the Government, the various matters over which it exercises jurisdiction, the tremendous scope of Executive authority, essentially require for efficient and systematic and economic government a greater centralization of authority than is now possessed and exercised. I think the obvious necessity of this condition had much to do with influencing President Taft to appoint the commission upon a rearrangement of our governmental agencies, which, as we know, made its report some time ago; and there can be no doubt but that had Congress acted upon the recommendations of Mr. Taft's commission and by legislation had empowered him to redistribute, rearrange, consolidate, and eliminate these various bureaus and agencies so as to produce greater efficiency and economy in government, no man could have successfully questioned our power to have done so; and that is precisely what we are attempting to do at present.

Of course, we are always confronted with the possibility of the abuse of authority when it is granted. That contingency is inseparable from any important legislation. We must, independently of that possibility, act without regard to it, if we are to succeed in our legislative task, relying upon the wisdom,

the patriotism, and the force of public opinion to control its exercise. Moreover, Mr. President, government must exercise its judgment in administration not alone by the standards of written law but as well by those of wisdom, justice, and expediency, as times and events may require. Mr. Burke has given expression to this thought in the following language:

The laws reach but a very little way. Constitute government how you please, infinitely the greater part of it must depend upon the exercise of powers which are left at large to the prudence and uprightness of ministers of state. Even all the use and potency of the laws depends upon them. Without them your Commonwealth is no better than a scheme upon paper, and not a living, active, effective organization.

I am of opinion this bill is not subject to any constitutional objection.

Mr. SHERMAN. Mr. President, I heard yesterday with great pleasure the remarks of the senior Senator from Mississippi [Mr. WILLIAMS]. I always listen to him, with his learning and his pleasing power of expression, as an entertainment. The principal argument he used was the peg-and-hole argument. I have heard it many times from the same Senator. I always hear it with pleasure although repeated, because he gives it with such variations it never becomes stale, flat, and unprofitable by that repetition. Because of his pleasing diction, his copious vocabulary, and his exuberant imagination, I listened with the usual pleasure to his comments upon the bill. The substance of his argument was embodied in a paragraph which is as follows:

I do not think that a committee on the conduct of the war representing the legislative branch of the Government is exactly the right way to carry on the war, but if you will give me power to put square pegs in square holes and round pegs in round holes and take square pegs out of round holes and round pegs out of square holes, I can improve the efficiency of the various executive bureaus of the Government and decrease its inefficiency.

To avoid these misfits in the executive department, its honored head must possess an elementary knowledge of contour, outline, form, and space, with sometimes the happy faculty of making a good guess on the length of the peg and the depth of the hole, as well as an intuition of what the contents of the hole are likely to be. An error in the latter instinct frequently leads to sore disappointment and grievous recriminations. Many a hunter has come to grief by thrusting his hand into a hole not previously investigated. A good mechanical joint requires not only the right union of form and material but a close fit. Lacking this, destructive friction, delays, and ultimate dissolution of the machinery ensues.

A political master mechanic if inspecting the executive power house with practiced ear and eye would hear sounds and see things indicating not only a want of a correlation of forces but would distinguish a loose clatter caused by empty holes from pegs too short to reach through and naked pegs resulting from inexcusably shallow holes.

An inquisitive or censorious loiterer might casually inquire what mechanical engineer framed this clacking libel that outraged his suffering ears. He might implore some passer-by to vouchsafe him the information how long this creaking pandemonium had disturbed the peace of the neighborhood or threatened its lives. On learning over five years had elapsed no doubt a stormy blast of his vociferous indignation would mount to an empyrean altitude.

It might be assumed the Government supply house is filled with pegs both round and square. Holes could be procured ad libitum as needed by the very simple and obvious process of pulling out the misfit pegs inserted during the last five years by the same fellow who says it can not be done. He does not require any new holes either. In addition to those turned over to him by his predecessor he has created over 100,000 new holes. Now he is dissatisfied because he has made a mistake in the kind of holes or getting the wrong pegs in the right place. As near as the uncultured populace can understand, being without university degrees or capital letters after their signatures, when they undertake to grasp this departmental chaos by any visible handhold it is this: He now wants power to scrap the outfit and let him start in fresh. One that can not make a better batting average pegging holes on a five-year circuit had better let Congress help him awhile till he learns more about human pegs. Otherwise, if he knocks down all the material in the departments he might never be able to set it up again during war times. He might get nervous and excited like some of us were three or four years ago when he was too proud to fight, told foreigners there must be peace without victory, advised watchful waiting, and later reminded us all around our respective homes that he had "kept us out of war."

He had a chance to practice on the Shipping Board ever since September 7, 1916. There was a brand new lot of holes. The pegs were human shipbuilders. They were plentiful in the

American supply house. He promptly filled the holes with two lawyers under suspicion of political activities, a lumberman well along in years who knew as much about shipbuilding as I do of theology. The fourth man had operated steamships, and the fifth had a lifetime experience in both building and operating ships. The last-named competent man sized up the pegs thrust into the board's organization holes and unanimously retired while it was reasonably quiet. It was not a lack of power or an assortment of holes and pegs the matter. It was color blindness that made a politician look like a shipbuilder. One time while he was experimenting with his peculiar ideas about pegs and the five holes on the board, a delegation of steel manufacturers came to Washington. They wanted to see him about shipbuilding. In the absorbing pursuit of pegging holes he could not possibly see them. He found time only to say he was thinking about commandeering their plants and turning the steel business over to some great captain of human language like Victor Murdock, just as he is now having them investigate the packing-house business to know how to furnish the Army and Navy with meats. Then he went on with his peg game. After three misfits he found Hurley and Piez, who pegged into the right holes promptly. These men thought somebody like Schwab, who had been run out of town with the rest of the steel delegation a year or two ago, would be useful. The last three are the only pegs which the President has fitted in on this end of the administration cribbage board. The only thing to keep him awake nights on the Shipping Board now is Raymond Stevens, who is the vermiform appendix of that body. He is a peg that never fit any place. He is liable to get inflamed most any day and have to be amputated. Uncle Sam would be like other millionaires if he does have appendicitis from this useless member of his anatomy. This appendix has already cost him several million dollars by its impossible antics with pay rolls and appropriations. I mention him as an appendix because he is a peg that never fit any hole, square or round. All anyone can do with him is to just let him stick out and keep him from being sore.

Mr. GALLINGER. Mr. President—

Mr. SHERMAN. I yield to the Senator.

Mr. GALLINGER. Has not the Senator observed that Mr. Stevens is now in Europe conferring with the great shipmasters of England on the shipping question?

Mr. SHERMAN. I had understood that he was absent in a foreign post, but I did not know definitely what his motive was, and thanking the Senator from New Hampshire for the information to be added here to this mine of information, whether he will come back with any practical knowledge of shipbuilding I very much doubt. I am perfectly willing that he should have steamship passage and expenses paid, however, for the sake of being out of the United States. That would be a net gain to the Government. [Laughter on the floor and in the galleries.]

The PRESIDENT pro tempore. The occupants of the galleries must preserve order. The Presiding Officer under the rules will be compelled to clear the galleries if disorder occurs.

Mr. SHERMAN. Right at the beginning of his superintendency of governmental mechanism he appointed my beloved friend and neighbor, Mr. Bryan, Secretary of State. The new Secretary had a multifarious knowledge of many things, a marathon record for continuous unquenchable oratory, an inexhaustible capacity for the absorption of Chautauqua gate money, and an unappeasable yearning to bankrupt the plutocrats of the entire country. It was not material whether diplomacy and our foreign relations were either square or round holes. His celebrated letter on the San Domingo matter showed that it was immaterial whether the right peg got into the right hole or not, so the peg was "a deserving Democrat." The President once expressed a curiosity to a certain editor to know if some dignified way might not be discovered of knocking Mr. Bryan into a cocked hat. The President solved his own conundrum by appointing him Secretary of State. Grape juice and an incurable propensity to pacifism accomplished their fiendish designs. The free-silver peg sank without a gurgle into the clutches of the Chautauqua profiteer.

Lindley Garrison was a square peg in a square hole. He began to gear up the machinery to operate. He soon became uncongenial among many pegs in the wrong kind of holes. The President did not do much to make him feel at home in the Cabinet family, so he resigned. The President looked over his pegs once more. He got hold of a pacifist peg and jammed it into the muzzle of a war hole. Everybody was comfortable again around the Cabinet table, but the public has been much concerned—even worried—ever since.

Then W. B. Wilson became the Secretary of Labor peg and Mr. Burleson the Postmaster General. One used to work for the Erie Railroad. Mr. Burleson used to run a cotton farm in

Texas. Both agree on socialism. They both agreed further on being official misfits in the holes where the President put them. They differed on convict labor in Texas, but agreed to stand it off against the interior finish of the jails in Maryland.

A coterie of single-tax pegs have been crowded into Democratic holes. It is a painful fit, but even a single taxer can stifle his lifetime convictions of yesterday to get on the Government pay roll. He can then draw a salary from unprincipled Democrats and rascally Republicans who hold real estate. He can console himself by meditating on the iniquity of consuming the unearned increment of Democratic politics. This pleasure is aggravated by observing that many of the untortured faithful who carried their wards by unprecedented majorities are loitering on the curbstone without recognition in the Capitol of an ungrateful Republic.

Mr. SHAFROTH. Mr. President, the Senator from Iowa [Mr. CUMMINS] a few moments ago made the statement that no one had suggested a single benefit or detriment to the war which could be effected by independent bureaus such as the Federal Reserve Board and banks or the Interstate Commerce Commission and their appointees.

Mr. President, it seems to me that the Senator has overlooked the powers of these great bureaus. It is true they are independent of the Executive, but it is that very independence which creates possibilities of delaying or hindering the prosecution of the war.

What is there more necessary to the prosecution of a war than to have finances, than to have a banking system that will advance the necessary funds, and what detriment could persons who are connected with the Federal reserve banks be with relation to the supply or payment of money for the Government?

We must take into consideration that these independent bureaus have a power to injure as well as a power to aid and assist. We can not raise an army without money. We can not have ships built without money; we can not have munitions of war manufactured without money, and yet an amendment is offered to except from the operation of this act this great bureau, so necessary to keep the finances of the Government in good condition.

Mr. President, I want to suggest to the Senator from Iowa the fact that great injury could be done by the officers of the Federal reserve banks if they were opposed to the war and great hindrance in the successful prosecution thereof could be effected. The United States Government keeps a large amount of money in the Federal reserve banks. Suppose the officers thereof should say, "We will not honor the checks or drafts of the Secretary of the Treasury," would it not hamper, would it not injure, would it not seriously deter the preparation for the conflict? Would it not deter the operation of the war and the successful prosecution of it?

Mr. President, one may say that is improbable. That is true, it is not likely to occur; but the limitation of all powers is imposed for the purpose of preventing possible abuses. Unless some central authority has the power to remove an officer who would commit such an act, we have the condition of having an independent body which might exercise powers which would hinder and delay the prosecution of the war.

Mr. President, take any of the functions of the Federal reserve banks. Suppose officers should say, "We do not believe in obeying the law as to the reserves; we are not going to have a gold reserve back of their currency." That, of course, would injure our standing and injure our credit. Is it possible that officers clothed with power to issue currency would not be in position to aid or retard or effect the prosecution of the war?

Mr. President, the officers of the Federal reserve banks are replete with great powers that can aid the war, with great capacity to be a detriment to the prosecution of the war, and it seems to me that that system above all others should be included in the operation of this law.

Mr. President, the Senator from Iowa believes in vesting power in the President. He says he is not afraid of usurpation of power. Unquestionably the concentration of power is absolutely necessary in war. I fully agree with him. The very laws that we would all be against in a time of peace become absolutely necessary when we are in war. When we talk about concentration we know that the President must have the power of changing not only a clerk here and there, but he must have the power to change or transpose men who are in the very highest authority.

Some Senators have said this bill is of very little moment because the President already has the power to make these changes. If that is true, then it seems to me there is not much harm to be done by the passage of the law.

But, Mr. President, I am one of those persons who believe that there is great power conferred in this bill; that it is not merely the authority of removal of clerks from one depart-

ment to another, but that it involves the grant of such powers as will determine whether or not these great bureaus are going to lend their aid and assistance in the prosecution of the war or whether or not they are going to act as a deterring force in the prosecution of the same.

It is true that abuses are not likely to occur, but you have got to pick out an extreme illustration to make clear the importance of including all bureaus in the operation of this measure. It is true that we would have the right of removal by probably an impeachment of the officer, but what does that mean?

Mr. SMITH of Georgia. Mr. President—

Mr. SHAFROTH. I yield to the Senator.

Mr. SMITH of Georgia. Has not the President the right to remove a member of the Federal Reserve Board?

Mr. SHAFROTH. I do not say that express provision is not given, and he must be confirmed by the Senate—and it may be there are decisions to that effect—but, as a matter of fact, the power vested in the President in this bill would unquestionably give it to him, and there should be no hesitation about exercising it in an appropriate case.

It is said, you know, that in the impeachment trial of Andrew Johnson the contention was made that the President could not remove a Cabinet officer. No Cabinet officer ever has been removed, because the ordinary courtesy and propriety require that such officers should tender their resignations. But, Mr. President, this bill should give to the President the power to remove not only the members of the Federal Reserve Board but the officers of any of the Federal reserve banks. I do not believe that the President has the power to remove the directors of a Federal reserve bank, for they are not appointed by the President. That power exists somewhere to remove them, but it does not exist in the President. Those banks are the ones that would have the power to aid and assist in or to deter in the prosecution of the war. Some of the directors of the Federal reserve banks are selected by the Government and some are placed there by the independent action of the national banks.

Mr. SMITH of Georgia. There are some of them who are put there by the men who own stock in the Federal reserve banks.

Mr. SHAFROTH. Yes, sir.

Mr. SMITH of Georgia. Ought not the men whose money is in the banks have a right to put somebody there to represent them?

Mr. SHAFROTH. Well, Mr. President, I will say that some of the safeguards and checks that in time of peace are so commendable and proper become retardant factors and should be set aside in times of war. The Government directors evidently are the persons who could not be removed by the President, and I have not any doubt that many of the men who carry out the administrative measures and who are appointed, not by the President but by the boards themselves, could not be removed by the President.

Mr. President, these matters are of great moment. I believe that in the prosecution of a war, when the very life and existence of our Government is at stake, we should bend every energy and use every power of the Government for the purpose of expediting the prosecution of the war, and for the purpose of preventing those persons who might hinder or impede the prosecution of the war from doing so, so that their influence could not be effective. We have the greatest war of all history on hand; it is going to take billions and billions of dollars to end it. Every Senator in this Chamber wants it ended successfully for the arms of the United States. We should present every measure and should pass every measure that will tend to have that effect.

Mr. President, suppose the question were to arise as to a Federal reserve bank, whether certain powers that it possesses should be exercised. Suppose its officers should say: "We will not extend any credit and will not issue any Federal reserve notes; you have complied with the law; you have presented your security; you have presented your gold reserve, but we will not issue any note." Should not the man charged with the duty of prosecuting effectively the war have the power to remove them, although they are not appointed by him?

Is it not absolutely necessary to the successful prosecution of this war that we should have these Federal reserve notes and that the credit of the Government be extended through the Federal reserve banks?

Mr. President, suppose the officers were to say, "We will issue notes without any security." They have the physical power to do it, though it is not likely they would attempt it. It seems to me, therefore, that no one will deny that this system is intimately connected with the operations which are necessary in the successful prosecution of the war and that their proper cooperation is indispensable to the proper conduct of the war.

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield to the Senator.

Mr. GALLINGER. I am trying to follow the Senator carefully, and I desire to ask, Does the Senator mean to argue that we ought to give the President power to reverse the action of the Federal Reserve Board on all occasions that he sees fit to do so?

Mr. SHAFROTH. No; not on all occasions. There are certain discretionary powers which are vested in them, and as to those discretionary powers I doubt very much whether such action on the part of the President could be taken.

Mr. GALLINGER. I apprehend that the Senator has not any anxiety, so far as the Federal Reserve Board is concerned, that it will do anything relative to the finances of the country that will be inimical to the prosecution of the war?

Mr. SHAFROTH. No; Mr. President, I have the very highest regard for the officers of the Federal reserve banks and also for the Federal Reserve Board. They are composed of most excellent, honorable gentlemen.

Mr. GALLINGER. I thought that was the Senator's position.

Mr. SHAFROTH. But, Mr. President, it is a question of possibilities. The Senator from Iowa [Mr. CUMMINS] has stated that nobody has suggested that their action could be of any benefit or detriment to the prosecution of the war and therefore should be excepted from the bill. It seems to me when I cite, then, instances of where their action could be of inestimable benefit or of great detriment, it conclusively shows the necessity of having them included in this bill. For similar reasons it seems to me that it is very important that the Interstate Commerce Commission and their appointees should also be included in it.

Mr. GALLINGER. Then, Mr. President, if the Senator will permit me further, logically the Senator's argument reaches this point, that we ought to pass over all the functions and powers of the Federal Reserve Board and of the Interstate Commerce Commission to the President. That is the conclusion, is it not?

Mr. SHAFROTH. I must say that, if there is a conflict upon the question of the action of the Federal Reserve Board with relation to matters that are plain and clear, the President ought to have the right and the power to remove or to transfer whomsoever he desires from that position, otherwise there would not be any head to the conduct of the war.

Mr. President, as to the appointment of Government directors of Federal reserve banks, the President has no power to appoint them. The Federal Reserve Board might say, "We will not appoint directors at all," and thus prevent temporarily the operation of the banks. I think the Federal Reserve System is one of the most indispensable agencies that could possibly be devised to be used to the advantage or to the detriment of the successful prosecution of the war. For those reasons, it seems to me that it ought to be included in the bill.

Mr. SMITH of Georgia. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Georgia?

Mr. SHAFROTH. I yield to the Senator.

Mr. SMITH of Georgia. The Senator's view therefore is that this bill extends the control of the President to the management of the 12 reserve banks as well as to the Federal Reserve Board?

Mr. SHAFROTH. Mr. President, I believe the President has no power, nor does this bill give him any power, of directing what they should do; but when the President finds that a man is absolutely unfaithful to the trust which is reposed in him he will have a right under this proposed legislation to remove him or to change him whether he appointed him or not. I regard this bill as not merely a bill for the transfer of clerks, but I believe it is a bill which gives great power to the President. For that reason I believe that the President should have the power to remove any of the officers for unfaithfulness in office.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. SHAFROTH. I do.

Mr. LODGE. Does not the Senator from Colorado think that the President now has, and always has had, the power of removal of any officer?

Mr. SHAFROTH. As I stated a little while ago, the directors of these banks are appointed by the board and not by the President. Of course, I have no doubt that a suggestion from him to the Federal Reserve Board that one of the Federal reserve-bank directors, or even the president of a Federal reserve bank, ought to be removed would meet with the response which the President would desire; but the power does not exist in the President, because no one can remove except the power that

appoints; and inasmuch as the Federal reserve-bank presidents and the Federal reserve-bank directors who represent the Government are not subject to appointment by the President he has no power to remove them.

Of course, Mr. President, these things are not likely to occur, because the people and officers of the United States are patriotic; but it seems to me that we ought to put all the power that is necessary for the prosecution of the war into the hands of the Commander in Chief of the Army and Navy of the United States. I am perfectly willing to trust the President in that respect. The President's whole course in public life has been in favor of the rights and liberties of the people; and so long as there is a limitation in the bill to the effect that it shall only be operative during the period of the war there is no danger of usurpation; there is no danger of the exercise arbitrarily of power, except as to those matters which are vitally connected with the proper prosecution of the war.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him further?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield.

Mr. GALLINGER. Mr. President, the Senator and I sat patiently in the committee room of the Committee on Finance, as did the Senator from Georgia [Mr. SMITH] and the Senator from Massachusetts [Mr. LODGE], for a good many days listening to arguments in behalf of the creation of a great financial corporation, having \$500,000,000 at its disposal to start with and authority to multiply that by eight, making \$4,500,000,000 in all, the Secretary of the Treasury being largely in control of that corporation. Would the Senator, after our trials and tribulations in considering and passing that bill—and it is a law now—pass that over to the President to deal with as he pleases?

Mr. SHAFROTH. Mr. President, suppose the members of that board arbitrarily and willfully should conclude that they want to obstruct the prosecution of the war and should use their efforts in that direction, I will ask the Senator if it would be possible to conduct the war properly if such an independent body could operate against the very measures which the President deems necessary for the successful prosecution of the war?

Mr. GALLINGER. The Secretary of the Treasury is not likely to do that, and he is the controlling power.

Mr. SHAFROTH. Oh, no; he is not likely to do that; but the contention has been made that such officers as those to whom I have referred could take no action looking either toward the advancement or the retarding of the prosecution of the war, and therefore should be excepted from this bill.

Mr. GALLINGER. Of course, we can conceive anything; we can conceive that the President might do things that were not justifiable.

Mr. SHAFROTH. Certainly; that is true.

Mr. GALLINGER. We can conceive that there may be foundation for a rumor that is now out, which is absolutely without foundation, that the President actually desires peace; we can conceive that; but it is not really conceivable in the minds of intelligent men.

Mr. SHAFROTH. Well, Mr. President, the question is whether we are going to give this power over independent bureaus. I think this power is necessary in the prosecution of war and should be given to the Commander in Chief of the Army and Navy. It seems to me that there are possibilities—not probabilities, I concede, but possibilities—that there might be a retarding or an acceleration of this war by reason of the use of the powers that are vested in independent boards, and the power of removal or exchange should, therefore, exist in the President.

I have not touched upon the expeditious and economic effect of the coordination and consolidation of bureaus and the elimination of delays and red tape therein, which I will present at another time.

The PRESIDENT pro tempore. The Senator's time has expired. The question is on agreeing to the amendment reported by the committee.

Mr. CALDER. Mr. President, the pending bill permitting the President to coordinate the different departments of the Government and the different bureaus in those departments ought to be amended as suggested by the Senator from Georgia [Mr. SMITH]. Personally, I can see no reason for including in the purview of this measure the Interstate Commerce Commission or the Federal Reserve Board; nor, for that matter, the Departments of State, Commerce, Agriculture, Justice, Labor, or Post Office. In fact, the only two departments that really need to be rearranged in these war times are the War and Navy, and I trust the bill will be amended to include just these two departments.

In time of war the Executive must necessarily be clothed with extraordinary powers, and on every occasion since the outbreak of the war I have been willing to give the President the power necessary to carry this conflict to a successful conclusion. Senators have discussed this measure at length, and others will before the bill is finally voted on, but I shall occupy the time of the Senate but for a few moments. It seems to me in this war, as in every other war, the first thing to be considered is to see that the country is really unified and can be depended upon to stand back of the Government. Of this to-day there can be no doubt. The Nation is completely unified. It was not in the beginning, but now from every portion of the land there is abundant evidence of the fact that the vast majority of the people of this Nation have determined to see the conflict through. It has been brought home to them through the fact that nearly every family in the land has one or more of its sons in the Army or Navy. It is now their war—the people's war—and they will do their full duty under the circumstances.

Then, too, wars are won by intelligent, patriotic leadership. At the beginning of this war we found a disposition on the part of men who are of the President's political party to insist that the slightest criticism from those of opposite political belief indicated that they were anxious to make political capital out of the war situation. In the beginning the idea that a Republican could be of more value to the Nation than a Democrat was seriously objected to. It is true that some men who came here were of the Republican faith. Only those were taken, however, who were willing to tender their services without compensation, and even some of these were frowned upon. The Government did not seem to realize that only men should be selected for the important posts who were best qualified to fill them.

I have often wondered why the President in naming the men for the Shipping Board did not pick out at least one shipbuilder. I recall that when one of the members of that board was appointed I objected to his confirmation solely on the ground that he knew nothing about the business in which he was to be engaged, and for that I was accused of being unpatriotic.

Now, the President has begun to realize that we must select the best-equipped men if we are to win, even if they are of opposite political faith, and so we have Mr. Vanderlip in the Treasury; Mr. Schwab on the Shipping Board; Mr. Stettinius and Mr. Keppel in the War Department; and even the advice of Mr. Taft has been asked in the Department of Labor. Some changes have also been made in the military personnel of the War Department. We have Gen. March as Acting Chief of Staff and Gen. Goethals, Assistant Chief of Staff and Acting Quartermaster General. These with the other men who have served as the heads of the various bureaus in the Military Establishment since the war began and have occupied very important places—Gen. Crowder, Provost Marshal General and Judge Advocate General; Gen. McCain, The Adjutant General; and Gen. Gorgas at the head of the Medical Department of the Army—these officers, Mr. President, are fast putting confidence in the Army through their disposition to handle these matters as they ought to be.

But, after all, has not the President sufficient authority to do all those things without our enacting this legislation? Is it not largely a question of leadership? It seems to me that with the mistakes that have been made already, and many of them have been remedied, there is just one thing to do now. Let us build our military and industrial establishment on the theory that in the end we are going to fight this war out alone. It is true, Mr. President, that we do not expect that such will be the situation, but if we prepare on the basis that it will be, if we at once provide for the registration of every man and woman in the country between the ages of 18 and 50 and after that registration give each one of them the job to do that he or she is best equipped for, and then provide as rapidly as it can be trained and equipped an Army of at least 5,000,000 men—if we do that the whole world will know that the spirit of the entire Nation is behind the Government, and then we will come to certain victory.

Despite all the mistakes and extravagances we have not done so badly in the 12½ months we have been in this war. Stop and think, Senators, that on the day we declared war we had an Army—a mobile Army in continental United States—of approximately 50,000 men with a National Guard of barely 100,000. To-day our Army consists of approximately 1,900,000 men, and we have increased our Navy from 50,000 to 300,000.

We are just getting this vast war machine into motion and when it gets its full momentum no power on earth can withstand it.

It has often been argued that an autocracy is the only government that can make war successfully. It seemed in the beginning that this was so, but when we appreciate the fact that at

the very outbreak of this conflict we were able to enact a measure calling for the drafting of the youth of our land with hardly a protest you can understand that a free country—a Republic organized such as ours, if the country is unified—in the end can build a military machine greater than even that of an autocracy.

And so, Mr. President, without involving ourselves in differences over a measure, much of which is not fundamentally essential, let us amend this bill permitting the President to reorganize and coordinate all the functions of the War and Navy Departments, and then enact legislation registering all the men and all the women of the Nation and organize them in the broadest possible way to insure the biggest military and industrial armies the world has ever seen. When this is done, then we can be certain that the war will be won. If this is not done, or if we delay in doing it, perhaps like Russia and Belgium, Serbia and Roumania, our Nation may be destroyed almost before we have started or, like France, we may be pushed to the very edge of the precipice, or, like England and Italy, may drain our country dry of both its men and its money, and even then with uncertain result.

Let us leave nothing to chance. Then the war will be won in a much shorter period than the people of the world have any idea of at present.

Mr. BRANDEGEE. Mr. President, I only want to speak about one minute on this bill, I think.

I ask that the bill, with the committee amendments, be printed in the RECORD at the beginning of my remarks, so that it will be apparent to what I refer.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Without objection, it is so ordered.

The bill (S. 3771) introduced by Mr. OVERMAN on February 6, 1918, and reported by Mr. OVERMAN March 21, 1918, with amendments, is as follows:

A bill authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government.

Be it enacted, etc., That for the national security and defense, for the successful prosecution of the war, for the support and maintenance of the Army and Navy, for the better utilization of resources and industries, and for the more effective exercise and more efficient administration by the President of his powers as Commander in Chief of the land and naval forces, the President is hereby authorized to make such redistribution of functions among executive agencies as he may deem necessary, including any functions, duties, and powers hitherto by law conferred upon any executive department, commission, bureau, agency, office, or officer, in such manner as in his judgment shall seem best fitted to carry out the purposes of this act, and to this end is authorized to make such regulations and to issue such orders as he may deem necessary, which regulations and orders shall be in writing and shall be filed with the head of the department affected and constitute a public record: *Provided*, That this act shall remain in force during the continuance of the present war and for one year after the termination of the war by the proclamation of the treaty of peace, or at such earlier time during the said year as the President may designate: *Provided further*, That the termination of this act shall not affect any act done or any right or obligation accruing or accrued pursuant to this act and during the time that this act is in force: *Provided further*, That the authority by this act granted shall be exercised only in matters relating to the conduct of the present war.

Sec. 2. That in carrying out the purposes of this act the President is authorized to utilize, coordinate, or consolidate any executive or administrative commissions, bureaus, agencies, offices, or officers now existing by law, to transfer any duties or powers from one existing department, commission, bureau, agency, office, or officer to another, to transfer the personnel thereof or any part of it, either by detail or assignment, together with the whole or any part of the records and public property belonging thereto.

Sec. 3. That for the purpose of carrying out the provisions of this act, any moneys heretofore and hereafter appropriated for the use of any executive department, commission, bureau, agency, office, or officer shall be expended only for the purposes for which it was appropriated under the direction of such other agency as may be directed by the President hereunder to perform and execute said function.

Sec. 4. That should the President, in redistributing the functions among the executive agencies as provided in this act, conclude that any bureau should be abolished and its duties and functions conferred upon some other department or bureau or eliminated entirely, he shall report his conclusions to Congress with such recommendations as he may deem proper.

Sec. 5. That all laws or parts of laws conflicting with the provisions of this act are to the extent of such conflict suspended while this act is in force.

Upon the termination of this act all executive or administrative agencies, departments, commissions, bureaus, offices, or officers shall exercise the same functions, duties, and powers as heretofore or as hereafter by law may be provided, any authorization of the President under this act to the contrary notwithstanding.

Mr. BRANDEGEE. Mr. President, the bill provides:

The President is hereby authorized to make such redistribution of functions among executive agencies as he may deem necessary, including any functions, duties, and powers hitherto by law conferred upon any executive department, commission, bureau, agency, office, or officer, in such manner as in his judgment shall seem best fitted to carry out the purposes of this act.

Then it provides that he shall make such regulations and issue such orders as he may deem necessary.

Sec. 2. That in carrying out the purposes of this act the President is authorized to utilize, coordinate—

Whatever that may mean in law—

or consolidate any executive or administrative commissions, bureaus, agencies, offices, or officers now existing by law, to transfer any duties or powers from one existing department, commission, bureau, agency, office, or officer to another, to transfer the personnel thereof or any part of it either by detail or assignment, together with the whole or any part of the records and public property belonging thereto.

Mr. President, there are three departments to this Government—the executive, the legislative, and the judicial. Every executive department of this Government was created by an act of Congress, by a United States statute. Their powers and jurisdictions are conferred by Congress. They have no power, no duties, no functions, except those that Congress conferred upon them. When Congress passed the statutes that created these executive departments and commissions and agencies and officers, it defined and delimited their jurisdictions by statutes. That was a legislative act. Now, it is solemnly proposed to the legislative branch of the Government that it confer upon the executive branch of the Government the authority to divest departments, commissions, officers, and agencies of the authority with which Congress clothed them by statute, and to allow the President to reinvest them with other authorities and jurisdictions.

Mr. President, in my opinion, as a lawyer, that is an utterly impotent and impudent attempt, for Congress to abdicate its legislative power and attempt to confer it upon the executive branch of the Government. If it was a legislative act and required a legislative act in the beginning to create an executive department or commission and to define its jurisdiction, it is equally a legislative act to withdraw that jurisdiction in order to take it away from one commission or bureau and to confer it upon another.

The various executive departments and agents and commissions of this Government have been created by Congress, as I have said. Their jurisdiction has been carefully limited and delimited and hedged about with various checks and balances, designed for the particular department or officer. Now, it is proposed to cast into a melting pot all the powers that Congress has ever given to any and all executive departments and agencies of this Government, and to attempt to confer upon the executive branch of the Government the power, overnight and from minute to minute, to dip his executive spoon into this mass of porridge and ladle out such portions as he may please of this great mass of authority with which Congress has vested the executive departments since the foundation of this Government. It is attempted to authorize him to ladle it out teaspoonful by teaspoonful, from minute to minute, between two days, overnight, if necessary in his opinion; to vest the powers of the Treasury Department to-day in the Interstate Commerce Commission; to vest the powers of the Interstate Commerce Commission in the Comptroller of the Currency; to vest the powers which Congress reposed in a Fuel Administrator in the Food Administrator; and to vest the powers of the Food Administrator in a clerk of the War Department; to take the powers that Congress conferred upon the Federal Reserve Board and turn them over to any agency, officer, or commission that is in existence now by law.

Mr. President, I do not believe that we ought to come to that in this free country. If the President thinks that one department ought to have more power, or that another department ought to have other power, and can give a good reason for it, any minute that he will come before Congress and say so, Congress by legislative act will grant that power or change it to suit the occasion. But to say that Congress must abdicate, must turn over its legislative functions to the Executive, is to ask something that can not be done under our Constitution, even if we were craven enough to want to do it.

There is no rhyme or reason in any such request or any such bill as this, in my humble opinion. It is hard enough to place responsibility now; it is hard enough to find out who is responsible for blunders and inefficiency and delays; but when you give the President of the United States, if it could be done constitutionally, the power to shift these functions and responsibilities from minute to minute from one set of his appointees to another, how is the American people ever to locate the responsibility or to tell which officials are efficient and which officials are inefficient?

This is done in the name of democracy, Mr. President. This is done in the name of pitiless publicity, of turning on the light, of not doing anything in a dark corner, of open diplomacy, and to make the world safe for democracy; and we are asked to confer upon the President powers which in my opinion we can not confer under the Constitution, and which we ought not to confer if we could.

In my opinion the bill is not worth the paper it is written on. Thank God, we have a Supreme Court in this country yet; and

I think that court will be zealous and anxious to maintain in all their pristine purity the three separate departments of this Government, so that in waging a war to make the world safe for democracy, or to make the United States safe for the Democratic Party, it shall not be necessary to set up an autocracy in this country, and an irresponsible autocracy at that.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Tennessee?

Mr. BRANDEGEE. I do.

Mr. McKELLAR. The Senator is of the view that this bill is unconstitutional. I will ask him if the act from which I am about to read does not confer upon the President substantially the same kind of power that the proposed bill does:

The Bureau of Efficiency shall investigate duplication of service in the various executive departments of the Government, including bureaus and divisions, and make a report to the President, who is hereby authorized, after such report shall have been made to him, whenever he finds such duplication to exist, to abolish the same.

If he is given such authority as that, is it not just what the Senator is complaining of now as being unconstitutional? In other words, this act is what is known as the Bureau of Efficiency act, and it was passed on March 3, 1917. The Senator was then a Member of the Senate, and the Record does not show that the Senator voted against that act. If the present bill is unconstitutional, why is not the act of 1917, which I have just read, unconstitutional also, in that it gives the President the right to abolish an office?

Mr. BRANDEGEE. Mr. President, I do not recall the act to which the Senator refers. It may well be that the act to which he refers is unconstitutional. I do not know. I have given the matter no consideration. I may have voted for many an unconstitutional thing since I have been in Congress. Very likely I have. I have tried to vote against some things that I thought were unconstitutional, and have been properly and duly berated as not being sufficiently progressive and up to date in so doing. Nevertheless, I have my opinion, and my nerve is still stiff and firm.

Mr. McKELLAR. Mr. President, if the Senator will indulge me again, I will say that the reason why I mention this matter is because of the very great respect I have for the Senator's opinion. Just a few days ago, as the Senator will recall, he was before our committee, and I agreed with him very fully in his views as to the constitutionality of the particular matter then before us. I have very great respect for the Senator's views; and yet I can not see the difference in principle between the powers conferred upon the President in the act of 1917 which I have just read, and which everybody seems to think is constitutional, and the powers conferred in the bill we now have before us.

Mr. BRANDEGEE. Mr. President, it may be that there is no difference; and if that is so I do not blame the Senator for not being able to see the difference. It may be that the other act is unconstitutional. I will ask him if he will be kind enough to read it again. I did not quite comprehend what he read.

Mr. McKELLAR. I call the Senator's attention especially to the last clause:

The Bureau of Efficiency shall investigate duplication of service in the various executive departments of the Government, including bureaus and divisions, and make a report to the President, who is hereby authorized, after such report shall have been made to him, whenever he finds such duplication to exist, to abolish the same.

Of course the Senator can see that that gives the President the undoubted right, upon the report of that bureau, to abolish offices that Congress has created, and yet, in my judgment, because the Executive was authorized to do that with the executive branch of the Government, that does not confer legislative power upon the President, but it is an executive function.

Mr. BRANDEGEE. Mr. President, I want to say to the Senator that I think I can clearly distinguish between the situation in the act to which he has referred and the status of this bill in this respect—

Mr. McKELLAR. That was really what I desired to hear the Senator do.

Mr. BRANDEGEE. It is one thing for Congress to pass a statute authorizing the President, when he ascertains a particular set of facts to exist, to put into operation the statute that Congress has passed or to suspend it, and it is another thing for Congress to authorize the President to pass legislative acts. We are continually, in every tariff bill that we pass, putting in provisions to the effect that if the President shall at any time ascertain that any foreign nation is discriminating against our goods, then he is authorized to raise the duties or to lower them within certain limits and according to a certain rule that Congress establishes. That is not conferring legislative power upon the executive branch. We do the legislating

and authorize the Executive, as a mere administrative act, to press the button when he ascertains a certain fact to exist. That is not legislating, and that is the distinction I make between the two acts.

Mr. McKELLAR. Will the Senator yield?

Mr. BRANDEGEE. I yield.

Mr. McKELLAR. The Senator will recall that even there a great many people believed that the very kind of power that was granted under the tariff act to which the Senator evidently refers gave the President the right to suspend the operation of the law in certain cases. It was contended very vehemently on the floor that the act was unconstitutional because it gave the President legislative power over purely legislative matters, yet when it went to the Supreme Court, I believe in the noteworthy opinion of Field against Clark, it was declared to be constitutional and not unconstitutional as it was claimed.

Mr. BRANDEGEE. I hear what the Senator says—that some people may have thought that the act was unconstitutional. What has that got to do with this case? It may be that they were wrong in thinking that it was unconstitutional to authorize the President to do those things. The Supreme Court decided that they were wrong. If there was any such contention made that has nothing to do with this case, in my opinion.

Mr. McKELLAR. I was just going to say that, in my judgment, it was a case exactly in point, and that the present bill does not confer upon the Executive any greater legislative power than was conferred by the various provisions of the tariff act to which the Senator refers.

Mr. BRANDEGEE. It is not a question of greater or less legislative power. Congress can not confer any legislative power upon the Executive. You might just as well offer a bill here that the inferior courts, which have been established by Congress under the Constitution, could rearrange their own jurisdiction, and that the judges of the circuit court of appeals and the district judges should meet together and take all the authority that Congress had ever conferred upon them, mix it up in a bowl, and redistribute it between the district court and the circuit court of appeals. Does anybody think you can confer legislative power upon the judicial branch of the Government? Does anybody think you can confer legislative power upon the executive branch of the Government? The executive branch of the Government has its well-defined duties under the Constitution. If Congress is willing, it can abdicate its functions and pass a bill that all the statutes Congress has ever enacted in relation to the executive department, the Interstate Commerce Commission, the Federal Reserve Board, the Food Administration, the Fuel Administration, the Post Office Department, the Secretary of the Treasury, the Cabinet officials shall be thrown into a melting pot and the pot handed over to the President with his executive ladle to stir it up and ladle it out from time to time to such agencies, officials, officers, administrative commissions, and so forth, as he may from minute to minute take a whim to do. We have passed such laws for a hundred years as Congress has thought were necessary to guard the Treasury Department and the currency of this country. We have passed laws founding a great Federal Reserve Banking System in this country, and every bank and trust company is controlled by statutes that Congress made with a view of having them left there to control the Treasury Department. Now you are asked to say to the President that he may unscramble the whole business and those statutes and powers and cast down the limitations and checks and balances that we have erected, and that he may confer them upon the Comptroller of the Currency or the Food Commissioner.

My God! We are just entering this war. Is it necessary to change our whole form of government before we have begun to fight?

Mr. SMITH of Georgia. Did the Senator gather from the statement of the Senator from Colorado [Mr. SHAFROTH] that this power extends to the 12 reserve banks, which are governmental agencies, and that their business could be taken from any one of them and transferred to any one of these agencies?

Mr. BRANDEGEE. I heard it, but it is so absurd that I paid no attention to it, really.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. BRANDEGEE. Could I not speak for half an hour on the bill?

The PRESIDING OFFICER. Yes; but only 20 minutes on an amendment.

Mr. BRANDEGEE. And there is an amendment now before the Senate?

The PRESIDING OFFICER. That is the rule laid down by the Vice President.

Mr. BRANDEGEE. I will resume my remarks on the next amendment, if the Chair pleases.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the committee.

Mr. SMITH of Georgia. Mr. President, it has been suggested that if we should vote upon the pending amendment and then have no other amendment offered, there being no amendment before the Senate the 30 minutes rule will apply. At some time it must apply. I was rather surprised at the ruling of the Vice President. When we made this agreement I thought it meant that at any time during the progress of the debate, no matter whether it was the bill or an amendment which was before the Senate a Senator could use his 30 minutes, and it would be charged to him no matter when used.

Mr. OVERMAN. If the Senator will yield to me, I this morning tried to get the Senate to pass on this amendment so that the bill would be before the Senate if no one offered an amendment, with all the committee amendments out of the way, and Senators could speak on the bill for 30 minutes and 20 minutes thereafter on any amendment that was proposed.

Mr. SMITH of Georgia. Anyone could offer an amendment at any time he saw fit, and if the ruling of the Chair is correct the 30 minutes allowed for debate upon the bill itself is postponed until there is not an amendment pending of any kind.

The PRESIDING OFFICER. The present occupant of the chair recalls that always heretofore, when there has been a time limit, there has also been a unanimous-consent agreement to vote, so that those who delayed speaking on the bill were cut off; but under this unanimous-consent agreement, as there is no time fixed for a final vote on the bill, there will be an opportunity for everyone to speak for 30 minutes on the bill. The committee amendment is pending, and the Chair feels obliged to rule in accordance with the ruling of the Vice President, which was not appealed from.

Mr. SMITH of Georgia. It was not appealed from, but I doubted its effect. I really did not catch its import when it was made. It is a matter that can easily be taken care of in subsequent unanimous-consent agreements, so that it will not be so material except in the present case.

Mr. BRANDEGEE. I simply want to say—

The PRESIDING OFFICER. The Senator from Connecticut is speaking in the time of the Senator from Georgia, who has the floor.

Mr. BRANDEGEE. If the Senator from Georgia will be kind enough to yield for me.

Mr. SMITH of Georgia. I yield to the Senator.

Mr. BRANDEGEE. I have no complaint about the ruling of the Chair at all. The Chair may be entirely correct. While the technical matter before the Senate at the time was the amendment, I really was not speaking on the amendment; I was directing my remarks to the bill, and I assumed that I would have half an hour on the bill. But it makes no difference one way or the other.

The PRESIDING OFFICER. The Senator may not have been aware of it, but he was speaking on the amendment.

Mr. SMITH of Georgia. Mr. President, I agree with a number of Senators who feel that this amendment is not near so material as the amendments we intend to offer to the bill. I have spoken upon this amendment, but not within the 20 minutes' limit. I undertook to point out that the effect of the term "administrative" was to broaden very much the character of agencies that could be used by the President beyond the character limited by the word "executive," and I called attention to distinctions given by the Standard Dictionary between the word "administrative" as compared with the word "executive," applied to governmental officials. It is the view in all the dictionaries, I think, that the word "administrative" extends to officers beyond those who have some definite thing to execute and to any kind of agency connected with the administration. Therefore it will apply to most of the advisory committees, to the War Industries Board, the Food Control Commission, the War Finance Corporation, and to all the different agencies that can be or could be created.

Mr. OVERMAN. I understood from the Senator that it did not make much difference about this amendment, because that question will come up on the amendment the Senator proposes to introduce hereafter and also upon the amendment offered by the Senator from Iowa [Mr. CUMMINS]. Therefore the fight need not be made on this amendment.

Mr. SMITH of Georgia. I simply called attention to what I considered to be the objectionable feature of the use of the word "administrative." I regarded it as vastly more important, however, to exempt entirely from the operation of the bill the Federal Reserve Board, the Interstate Commerce Commission, the War Finance Corporation, and agencies of that character

that must be created by legislation under their present organization in order to maintain stability in the operation of the industries and the business of the country.

The Senator from New Hampshire [Mr. GALLINGER] read an extract from a paper this morning which criticized Congress for not acting more rapidly and closed by charging that Congress was about ceasing to function. My view is that the tendency of the Senate to cease to function grows out of the tendency to abandon and delegate its responsibilities to the President; that its fault has been not in taking too much time but in not taking time enough. When we appropriated \$5,500,000,000 to new business undertakings in the War Department, if we had really taken time to consider what we were doing, and if we had taken time to consider that we were appropriating \$3,000,000,000 to the War Department to be used by the Ordnance Bureau in the construction of plants for the manufacture of cannon and guns and powder, and in the construction of cannon and guns and powder, it would have occurred to us as we went on with the discussion—certainly to some one out of the 96—that we had provided no business men to conduct this enormous responsibility.

Mr. KELLOGG. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. SMITH of Georgia. Yes.

Mr. KELLOGG. I will ask the Senator from Georgia if Congress has any power to provide the man?

Mr. SMITH of Georgia. Congress could not have selected the man, but Congress could have provided that there should be created a commission or a man and broaden the authority from Army officers to civilians, and the very discussion of the subject, the very discussion of the need of a real man brought to the attention of the country, would in all probability have brought a man before 12 months had elapsed capable of handling the work.

Mr. KELLOGG. But, after all, the President is the only power to select the man.

Mr. SMITH of Georgia. That is true, but what I am suggesting is this: One man can not meet the responsibility that we have placed on the President. One Senator or five Senators might not have done it, but if we had taken our time to discuss this subject, exercising our duty to prescribe rules and regulations for the government of the Army and the Navy, if we had directed that this money should be used through some kind of an agency suited to the work, if we had taken time, some one in the Senate would have thought of the necessity to provide a real organizing executive to direct the work.

How has the present action finally developed? It has really come to the country from the work of the Committee on Military Affairs. I am not complaining about the failure of any one person to do what might have been done; I am seeking to call attention to the fact that one person's mind can not do it, that one imagination can not reach it, and that the functioning of the Senate, though it takes some time, hastens wise action. The functioning of the Committee on Military Affairs beginning last fall has helped bring action. If we instead of hurrying when we appropriated the \$5,500,000,000 had taken 30 days to discuss it, we would have probably saved 11 months in the proper use of the money.

I have taken occasion before to express my extreme gratification that we at last are to have a man who I believe measures up to the task of building ships. I do not know a great deal about it, but I have much confidence in the judgment of the Senator from Colorado [Mr. THOMAS], and what I hear of the new director of flying machine construction I like. I believe we are to have a man with organizing and administrative powers in charge of building fighting flying machines. I hope by some way we will get into the Ordnance Department a real business force to be conducted by men of independence and determination who will decline to be tied down by foolish red tape not prescribed by statute, but, as is all red tape, departmental rules and practice. There is not any red tape in the War Department prescribed by statute; it is simply red tape which lack of administrative force in administration has left there.

Mr. VARDAMAN. I should like to ask the Senator if the power has not from the beginning of this war been lodged in the President to name the man who is to perform the function he has just described? Has he not the power?

Mr. SMITH of Georgia. I think so. I have no doubt of it.

Mr. VARDAMAN. The Senator said that Congress had loaded upon the President more responsibility than any human mind could possibly discharge. Has the Senator had any intimation from the President that he has been overloaded?

Mr. SMITH of Georgia. I was presenting my view of the subject and no one else's. I was presenting my own view, and I

was suggesting to the Senate that instead of being frightened by these criticisms that we do not hurry, if we will take our time and consider these questions, their consideration by the Senate will help hurry up action elsewhere and cause more intelligent and more forceful and better action elsewhere. If we had really functioned as a Senate fixing rules and regulations for the government of the \$5,500,000,000, if we had discussed what we expected done in the way of organization instead of responding to the demands for instant action, I believe the country would have saved many months that have been lost.

I shall not discuss at this time the Federal Reserve Board. I listened with deep interest to the statement of the junior Senator from Colorado [Mr. SHAFROTH], who openly declared that in his judgment this bill extended the power or the use of the Federal Reserve Board to any other agency, and maintained that the President ought to have the power to transfer the functions of this board.

He extended this view even to the 12 Federal reserve banks.

I am disposed to think the bill as drawn extends to 12 Federal reserve banks. They are governmental agencies in a sense. It may be and probably is that the right of private property invested in the reserve banks would make unconstitutional a provision passed by Congress which authorizes the President to take control of them, but the line of thought which the Senator from Colorado presented shows the menace to our Federal reserve banking system of the bill as it is drawn.

Mr. BRANDEGEE. Did not the Senator understand the Senator from Colorado to state that in practice the President could go to the Federal Reserve Board and make them remove the directors of the Federal reserve bank and put in others?

Mr. SMITH of Georgia. Yes; it was his view that the bill gives that authority.

Mr. FALL. Conceding that the bill does give the authority to the President, or might be construed to give the authority to the President, to take over the property of the bank, even the private individual property of the bank, would that be more unconstitutional than the right sought to be given in what is known as the housing bill to take over the privately occupied dwelling of an individual?

Mr. SMITH of Georgia. I think the housing bill is very extreme. I have not voted for that provision and I have not determined to vote for it.

I think probably it might be best without any amendment presented for awhile to let each Senator who desires to use his 30 minutes discuss this entire bill. Then I expect to introduce some amendments. I expect to offer an amendment at the close of section 1:

Provided further, That the authority by this act granted shall not extend to the functions, duties, or powers of the Federal Reserve Board.

If the Senate should see fit to adopt that amendment, then I shall offer an additional amendment adding the Interstate Commerce Commission, and adding such other special branches as can be offered, and test out the view of the Senate on the subject. I desire to remove entirely the civil establishment from the operation of the bill. I would vastly prefer that that should be done; but the great harm to the country which I see in the bill as it is drawn is the power to place in suspense or destroy the responsibility of the Federal reserve bank and the Interstate Commerce Commission. As to those two I think serious injury would be produced by the bill. I think the bulk of the changes if any take place in the other branches of our civil establishment will be mistakes if made at this time, when the war is on and when they will be made hurriedly. I do not think the changes will accomplish good. I think whatever is done will be harmful, but the great opportunity to do a serious injury, to impair the industries of the country and the banking system of the country, is found in the authority to disarrange the Federal reserve bank and the Interstate Commerce Commission. I consider a grievous danger carried in these two powers.

The PRESIDING OFFICER. The question is on the amendment of the committee.

Mr. VARDAMAN. Let the amendment be read.

The PRESIDING OFFICER. The Secretary will read it.

The SECRETARY. On page 2, line 23, after the word "executive," insert the words "or administrative."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still in Committee of the Whole and open to amendment. Speeches under the 30-minute rule are now in order, unless an amendment is offered.

Mr. NELSON. There is another committee amendment following that.

The PRESIDING OFFICER. The Chair is informed that the amendments of the committee have now been adopted.

Mr. NELSON. The following amendment then has been adopted.

Mr. OVERMAN. I am correct in the impression that all the committee amendments have been adopted?

The PRESIDING OFFICER. The Chair is so informed.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. The Senator from Iowa is recognized to speak for 30 minutes.

Mr. CUMMINS. Mr. President, I intend in the very few minutes that I shall occupy to speak with reference to only one phase of the pending measure. Others will discuss it from different standpoints. That this bill unmodified and amended will confer upon the President the authority to transfer all the powers and functions which Congress has granted to the Interstate Commerce Commission to any other agency of the Government, whether that agency be a bureau, a department, a commission, or an officer existing by virtue of the statutes of the United States, must be admitted.

The Senator from Delaware [Mr. WOLCOTT] expressed some doubt with regard to the scope of the bill or the interpretation of the bill in that regard, but he has not insisted very strongly upon his view in such respect. That the Interstate Commerce Commission is an agency of the Government created by Congress there can be no question. In my opinion, it is not only an agency of the Government, but it is both executive and administrative in its character.

When the Senator from Delaware was discussing the matter I asked him a question for which I ought to apologize. I asked him to define the term or word "executive" in this connection.

Mr. WOLCOTT. I think the Senator from Iowa is in error. He asked that question, as I recall, of the Senator from Tennessee [Mr. McKELLAR].

Mr. CUMMINS. I accept the correction of the Senator from Delaware. It was of the Senator from Tennessee that I asked the question.

Mr. McKELLAR. My attention was diverted for the moment, and I did not hear the statement the Senator made. Will he repeat it?

Mr. CUMMINS. I stated that during the course of the observations of the Senator from Delaware—I now substitute the Senator from Tennessee, because I think the correction made by the Senator from Delaware is in accordance with the fact—I asked him to define the term "executive power" as used in the Constitution of the United States. I knew very well that he could not define it, for I do not think that any person can define it. I am quite sure that I would not attempt a definition myself, for there is no definition of that term that will not be found in collision with the practices of the Government or some practice of the Government in the last 125 years.

It is sufficient to say that there is a sense in which the Interstate Commerce Commission, or the Federal Reserve Board, or the Tariff Commission, or the Federal Farm-Loan Board is executive—that is to say, these governmental agencies attempt to carry into execution a law of Congress—but they are not executive in the sense in which we use the word when we refer to the executive department of the Government. The term as applied to them has come to mean those departments over which the President customarily exercises his power and which are closely and intimately related to the office of President of the United States. That the Interstate Commerce Commission is administrative in its work there can be no doubt whatsoever. The Supreme Court of the United States has repeatedly recognized and described it as an administrative body; and I intend, in my further discussion of the matter, to assume that the language in this bill will include the Interstate Commerce Commission.

Congress created the Interstate Commerce Commission for the purpose of insuring to the people of this country fair and reasonable rates for the transportation of their commerce, as well as to protect the railway or transportation systems of the United States against undue encroachments on their rights and privileges at the hands of the several Commonwealths of the Union. Anyone who is at all familiar with the history of our systems of regulation, both Federal and State, will have no doubt what the purpose was on the part of Congress. That was the first attempt, you will remember, of Congress to regulate interstate commerce. It preceded the further and, possibly, the more comprehensive attempt of the antitrust law which went into effect in 1890. The interstate-commerce law was passed, as you all know, in 1887. Congress created the Interstate Commerce Commission, prescribed the number of its membership, and reserved, as it must necessarily have reserved, the right to approve or reject the selections which the President might from time to time make in order to fill the offices that had thus been established. It is entirely and wholly an agency of Congress. While its duties are judicial in their general color and complexion,

they are not judicial as determined or tested by the Constitution or by our general acceptance of that word.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Tennessee?

Mr. CUMMINS. I yield for a question.

Mr. McKELLAR. I merely desire to ask the Senator a question. Does not the same view that the Senator has expressed about the Interstate Commerce Commission hold in regard to the Treasury Department of the Government—that it is peculiarly the agent of the Congress instead of the agent of the President?

Mr. CUMMINS. In a sense every agency of the Government is an agency of Congress; that is, if Congress creates the agency, that is true. It is not true, however, in the same sense that it is true with regard to the Interstate Commerce Commission.

Mr. McKELLAR. Inasmuch as the Treasury Department, however, has to do with the revenues of the Government, which are appropriated or raised altogether by Congress, is not the Secretary of the Treasury just as peculiarly an arm of the legislative branch of the Government as is the Interstate Commerce Commission?

Mr. CUMMINS. Not as peculiarly so. The office of Secretary of the Treasury is in large part ministerial. The duties of the Interstate Commerce Commission are not ministerial in any sense, for there is a vast difference between an executive act and a ministerial act. An executive act may involve the exercise of discretion; a ministerial act can not ordinarily involve the exercise of discretion. But it matters not if there is a close parallel between the Secretary of the Treasury and the Interstate Commerce Commission, my argument remains the same. Congress created the Interstate Commerce Commission; it prescribed its membership; it carefully defined its duties and powers, all for the purpose of protecting the people. Congress would not have passed a law giving these powers and duties to a single person. They are too vital to the welfare of the country, and they are of a character that could not possibly be safely exercised by a single person.

Suppose we had before us at this moment a bill which proposed to transfer all the powers and the duties of the Interstate Commerce Commission to a single person; assume further that that person is the Director General of Railways, under the law which we passed a few weeks ago; is there a single Senator here or elsewhere who would vote for a bill which would take from nine men trained in the subject over which they are given power, skilled in the intricacies of transportation, who through years of experience have become familiar with the needs and demands of the various localities of the country—would you, I ask the Senator from Tennessee, if such a bill were present here now transferring all these powers and duties from a board of nine men, composed as I have suggested, to a single man, no matter how honest he might be? Would you vote to entrust to any one man these vast and intricate and vital powers for the government and control of our transportation—not the transportation of Government material or of Government troops, but the transportation upon which the commerce of the country and the industry of the people are founded? Would the Senator from Tennessee vote for such a bill?

Mr. McKELLAR. Mr. President, I would not vote for a bill of that kind, but this bill applies only to a temporary situation. As a matter of fact, I think the Senator from Iowa and I have both already voted for a law that practically does the same thing in the recent railroad bill, which was passed by this body—I will not say the Senator voted for it—but it was passed, I think, practically by unanimous consent. However, I want to ask the Senator this question: Suppose since the Government has taken over the railroads and has put them in the hands of a Director General, the President should conclude that these nine experts, or some of them, could be well utilized in aiding the Director General in carrying on the railroad business of the country as conducted by the Government, does not the Senator think that the President ought to have the right to utilize the services of these well-known railroad experts in aiding the Government in carrying on this great branch of governmental endeavor at this time?

Mr. CUMMINS. Undoubtedly.

Mr. McKELLAR. That is all this bill does.

Mr. CUMMINS. But that is not all of this bill. That is the difficulty about it.

Mr. McKELLAR. That is what can be done under this bill.

Mr. CUMMINS. That is the fallacy about the argument of those who are advocating the passage of this bill unchanged. Of course, that could be done, but that is not all that could be

done; it is a very small part of the powers which are proposed to be conferred in the bill.

I have no objection to authorizing the President—he has the power now—to call upon the members of the Interstate Commerce Commission for all the information they have. Not three months ago the President invoked the services of the members of the Interstate Commerce Commission for the composition of the railway bill, to which the Senator from Tennessee [Mr. McKELLAR] has referred, and they rendered all the aid which men could render in framing and preparing and presenting the measure which we passed.

But I want again to correct the Senator from Tennessee. I did not vote for the railway bill. That is one of the sins that can never be laid at my door. I was quite willing that the President should be in possession of the railroads; I think he ought to have taken possession of them long before he did; but the railway bill which we passed contained so many objectionable provisions which could not possibly be employed for either the prosecution of the war or for the advantage of the people that I could not vote for it, knowing that the President already had full and complete authority, so far as the operation of the property and the utilization of all of the resources of transportation were concerned.

Mr. KELLOGG. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I yield to the Senator.

Mr. KELLOGG. I should like to call the attention of the Senator from Iowa and of the Senator from Tennessee to the provision of the law which we passed, which is known as the railroad law. It authorizes the President to "avail himself of the advice, assistance, and cooperation of the Interstate Commerce Commission and of the members and employees thereof," and he "may also call upon any department, commission, or board of the Government for such services as he may deem expedient."

Mr. CUMMINS. Mr. President, I am very much obliged to the Senator from Minnesota for calling that matter specifically to the attention not only of the Senator from Tennessee but to the attention of all Senators. This bill can not be defended upon any such pretense as the desire on the part of the President or the Director General of Railroads to secure information that may be lodged in the Interstate Commerce Commission, or for aid that he may require from any member of that commission. He has that right now, as he has always had it.

It is not true, as seems to be supposed by so many Senators, that we have entirely emasculated and destroyed the Interstate Commerce Commission in the railroad law, objectionable as some of the provisions of that law may be. I am afraid to go any further, however, in that direction. If you think you are safe in transferring the powers of the Interstate Commerce Commission to a single person, see what is being done now. The Senate, on the passage of that bill through this body, attached an amendment to it that preserved from the operation of the bill, if that were necessary, the right of the several States to tax these properties in their accustomed manner.

There was added to that amendment in conference, as I remember, a provision which practically nullified it, although in the hands of a competent and unprejudiced board it might still have effected the things which were intended by the author of the amendment. What has happened now? The Director General has addressed, according to the public press, the governor of every State in the Union upon the subject of taxation, and has asked the governors to use their influence, not to retain taxation of the railroads at the present point, but to reduce the taxes which have heretofore been levied upon these properties by the several States. Why? In order to increase the net revenue of these properties, which it is hoped may finally find its way into the Treasury of the United States. If this persuasion which has now been initiated shall be unavailing, mark my word, it will not be six months until the Director General will be using the power which we gave to him in that bill to destroy the systems of taxation of the several States. What does that mean? It means that the people of the various Commonwealths, deprived of the revenue which they have heretofore enjoyed from this source, must increase the burdens laid upon other kinds of property.

Mr. BORAH. Mr. President, this bill would not change that situation, would it?

Mr. CUMMINS. It would not; I am simply trying to point out the dangers that are to be feared in the transfer of the power of the Interstate Commerce Commission to any single man, I care not how honest he may be. He will be a man with an obsession, he will be a man with something to accomplish;

it may be right and it may be wrong; but I, for one, will never vote to grant any such power to a single man. The experience of the whole world has repudiated ventures of that character. I mention this simply to point out the things that may be apprehended in the future administration of the Interstate Commerce Commission.

Mr. OVERMAN. Wherein is that power granted of which the Senator speaks?

Mr. CUMMINS. I will be very glad to read it to the Senator.

Mr. OVERMAN. Does the Senator refer to the railroad bill?

Mr. CUMMINS. It is in the railroad bill.

Mr. OVERMAN. Oh, I thought the Senator was referring to the pending bill.

Mr. CUMMINS. The power granted in this bill is to take the authority away from the nine men who have been lifted up by the President himself as men fit to administer this law. I do not agree with him in regard to all these men, for I think some of them ought not to have been appointed; but, as a whole, they constitute the safest depository of the power which we desire to grant that can possibly be conceived.

Mr. OVERMAN. I can not conceive how, under the railroad bill, that can be done, and I should like the Senator to read the provision; or if there is some other bill which the Senate has passed that would give the power to the Government to increase taxes in the States, I should like to know about that.

Mr. CUMMINS. I have just answered the Senator from Idaho that the bill we are now considering does not change that.

Mr. OVERMAN. The Senator says the power is somewhere else. I should like to know where it is, because if the Senate passed a bill with any such provision in it, I should like to know it.

Mr. CUMMINS. I will read the provision in the railroad bill. It is section 15, and reads as follows:

That nothing in this act shall be construed to amend, repeal, impair, or affect the existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except—

As I remember, this is what was added—

except wherein such laws, powers, or regulations may affect the transportation of troops, war materials, Government supplies, or the issue of stocks and bonds.

Mr. McKELLAR rose.

Mr. CUMMINS. I am very sorry, but I can not yield for any extended discussion, because my time is limited.

Mr. President, it will not be long until the Director General of Railways will say to the States, "Your taxation of these instrumentalities interferes with the issue of stocks and bonds, or interferes with the efficiency of the railroads in rendering the Government service, and for that reason we set aside the several laws of the States relating to taxation." It may not occur; but I am not willing—and I was not willing originally—to vote to make it possible that such a contingency should arise, especially as no one has ever pointed out or ever can point out any safety for this country with the power of the Interstate Commerce Commission in one man's hands that does not exist in the hands of the nine men who constitute the commission.

I pass from that to what is left with the Interstate Commerce Commission and what we are asked to authorize the President to take away and confer upon any person whom he may select. Section 10 of the railway act begins:

That carriers while under Federal control shall be subject to all laws and liabilities as common carriers, whether arising under State or Federal laws or at common law, except in so far as may be inconsistent with the provisions of this act or any other act applicable to such Federal control or with any order of the President.

It is my opinion that the power of the President over the subject as granted in the railway law does not embrace the power and duty of the Interstate Commerce Commission to proceed with its valuation of railway property. At this time that power is secure; at this time that duty is complete; and, if Congress makes the appropriations necessary to enable the commission to go forward, the work which has been pursued for the last three years and a half or more will go on; and when we come to resume the discussion of the real and proper relation between the Government of the United States and these railways, when we come to ascertain whether we shall become the owner of these vast properties or whether we shall redvide and reconstruct the systems in order to eliminate some of the difficult problems which have grown up under our former system of regulation, we will have not, it is true, a valuation in its proper sense, but we will have collected all of the information necessary to reach a conclusion with respect to the true value of the properties. It makes no difference whether the Government becomes

the owner or whether it undertakes some other plan of regulation and control, the value of the properties is of the highest importance; it is an essential element, in any consideration, which we may give to this subject.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BRANDEGEE. Mr. President, as I was saying a few moments ago when I was speaking upon the committee amendment, I regard the pending bill as a clear attempt to delegate legislative power to the executive branch of the Government; hence, I regard it as utterly unconstitutional, and I think the Supreme Court will set it aside as soon as it can properly be brought before it if we should pass the bill.

The Senator from Georgia [Mr. SMITH] has indicated that he is to offer several amendments to the bill, and if I understand the purport of the amendments I shall certainly advocate them and vote for them; but even then, Mr. President, I regard it as perilous to pass this bill. It is wrong in principle. It will not make any difference how many amendments the Senate puts onto this bill. If any Senator thinks that he is going to help defeat this bill by putting some amendments on it and making it a little less objectionable, he is pursuing a vain hope. If the Senate adopts any amendments to this bill, they will simply furnish the conference committee a handle with which to strike out all the amendments of the Senate to the bill, and the bill will be reported right back here from the conference committee just as it was drawn by the President, and then we will have to swallow it whole or reject it in toto; that is all there is to it. So that no one will accomplish anything, even if he gets proper amendments attached to the bill. The one amendment that ought to be offered and carried to this bill is to strike out all after the enacting clause. Then we should know where we stand.

Has any Member of either branch of Congress the slightest idea what use the President would make of this vast power which we propose to hand to him en bloc, to carve up into such sized cubes as his whim may from minute to minute dictate? No one knows a single thing that he intends to do. Does he know himself? He says he does not. I think I violate no confidence when I state to the Senate and to the country that the Committee on the Judiciary that considered the bill for weeks with the strongest opposition developing there, sent a committee of its members or certain individual members of the committee to ask the President if he would not be kind enough to inform us what he wanted to do; and the answer came back that he was unable to do so, because he did not know what he wanted to do. He wanted the power to do anything that he might want to do in the future; and since then it has come to my ears unofficially that he has been sending for Senators and notifying them formally that he would regard the vote of any Senator against this bill just as it is drawn here as a vote of a lack of confidence in him!

Well, now, the President has his veto power. Having that, it does not seem to me to be quite seemly that he should not only draw bills in advance and send them over here with orders to pass them without the dotting of an "i" or the crossing of a "t," but that he should accompany them with a notice that if any Senator ventures to have a different opinion of the legality of a measure from his opinion he will regard it as a vote of lack of confidence in him.

I noticed in that great palladium of our liberties, the New York World, yesterday or day before yesterday, an article by the Washington correspondent of that literary production in which it was said that the President demanded to know the names of the Senators who were going to vote against this bill. He demanded to know their names! Well, all he has to do is to read the CONGRESSIONAL RECORD, and he will find out quickly enough. There will be a roll call on the bill, probably. I do not know of any Senator who is afraid to have his name go in, no matter which way he is going to vote on the bill.

Why does not the President specify what he wants to do? What is the hindrance that is placed now upon the executive branch of the Government? Who appoints these fellows that are inefficient and are duplicating work? Why, they are all his agents now. He can chop off their heads at any minute. Many of them were confirmed over strong protest in the Senate; but they are his agents, and he can remove them. He says they do not coordinate. Why does he not make them coordinate? He is their boss. He can summon the heads of any executive department or of any bureau or of any commission into his office and say: "You gentlemen are not coordinating. Now, coordinate. Go ahead and coordinate. If you do not, I will do some coordinating, and off your heads will go." What is the use of his complaining to us that he can not make his own servants obey his orders or carry out his own policies?

We are asked now to put in escrow all the powers that Congress has ever granted to any executive department, commission, agency, or officer, tie them up in one bag, and hand them over to the President for him to do with as he may see fit from minute to minute, so that if he confers the powers of the Comptroller of the Currency upon the Food Commissioner and that official makes a blunder which causes public clamor and criticism, and somebody gets up in Congress and attempts to criticize him or to show wherein he is acting wrongly, the President says: "Ah! The pea is under the other shell. I took it away from him an hour and a half ago, and have now conferred it upon Dr. Garfield"; and there would be no possible way in which this free democracy and this republican form of government could ever find who was responsible, except we know in a general way that the President would be responsible, because he would hold the bag, with all the powers in it.

But they say: "You must not criticize the President"; and I have just read in the newspaper an article in which the Associated Press says you must not criticize the President during war. The Senator from Illinois, the distinguished mold of fashion, stands up here and ululates and bleats, "We are at war, and he is our Commander in Chief! He must have all the power necessary to win the war."

Well, the President is Commander in Chief of the Army and Navy. He is not commander in chief of Congress, and he is not commander in chief of the American people. We are not yet under military rule, and I do not think we shall be. But here is the Democratic Party, in complete control of all three branches of this Government, the party that has stood up preaching the faith of its sanctified leader, Thomas Jefferson, for 75 years here, denouncing the concentration of power at Washington and claiming that they were for the rule of the people and home rule, proposing to confer upon the President of the United States, simply because he is Commander in Chief of the Army and Navy, and can order vessels around and order generals around, the power to reorganize all the executive departments of this Government. Why, it is an amazing, an astounding, an utterly unheard-of and utterly unnecessary thing to pass.

The Senator from Vermont [Mr. DILLINGHAM], I believe, a member of the Judiciary Committee, went over to see the President about this bill, and tried to find out what the President had in mind. He could not find out anything about it, except that the President said: "I want the power. I do not know what I am going to do with it; I do not know that I shall do anything with it, but I want the power."

Well, if Congress abdicates all its functions and turns over all its powers to the executive branch of the Government and then adjourns, how much do you think you are going to know about this war? Is not the Congress of the United States a part of the Government of the United States? Or have the people actually come to believe that the Executive is the Government of the United States?

Why, the President of the United States now is more powerful than any monarch in the world. Nobody knows what will be done with these powers. Why should we pass a bill under the plain language of which the powers of the Interstate Commerce Commission could be transferred to the Director of Railroads? Why should we pass a bill the language of which would permit the powers of the Federal Reserve Board to be transferred to the Department of the Interior? Is there any excuse for it?

"Ah," they say, "you distrust the President." Why, Mr. President, if somebody introduced a bill here providing that in the future the President could make all the appropriations needed by the Army and Navy, and somebody should object to it, they would say: "Ah, you distrust the President."

I do not distrust the President. I know that he is a patriotic, loyal American. I distrust his judgment of men, Mr. President; and I think his selection of men has warranted my distrust. I do not think he is a good judge of men. I think he has made some egregious blunders; but I do not distrust the President's integrity, nor his patriotism. I simply know that he is human. He is not infallible. Why bundle up all these powers and hand them to him?

If such a fundamental bill as this is necessary, why should not the President write a message to Congress and tell us why it is necessary? Why write a letter to a particular Senator, and hand him the bill, and say: "Get this through, and anybody that does not vote for it is my enemy"? Here is a great measure. We do not hear one word from the Chief Executive about it. He sends for some one Senator, or writes some Senator a letter, and says: "Go to it, and put it through. I will not have any amendments to it. I do not care what the discussion

in the Senate is; it is all trivial. Hurry up—for God's sake, hurry up—and give me the power."

Is that what the President means by taking common council with Congress? Is that what he means when he complains of a lack of coordination? Is it reasonable? Is it fair?

Here is the legislative branch of the Government, with its organized committees and its lawyers and business men and its men representative of the people who sent them here, just as much as the President is a representative of the people. We represent the particular sections, and we are selected because our constituents have confidence in us. There is not a Senator on this floor who ever got to the United States Senate unless there was something in him, unless the majority, at least, of his people trusted him. We are all elected by the people themselves now, and not by legislatures. Is it so that argument and debate are to be foreclosed, that bills are to be drawn by Deputy Attorneys General and chiefs of departments and sent over here with an "O. K.; pass this," signed by the President, with orders to vote down all amendments before they are offered, or before it is known what they are? Is that taking common counsel and coordination?

We have three coordinate branches of this Government, and they ought to coordinate. That was the intention of the framers of the Constitution. When the Senator from Oregon [Mr. CHAMBERLAIN] the other day, in a magnificent speech, in which he had the goods and the testimony of the living witnesses from the primary authority, stood up here and exposed certain defects and inefficiencies in the War Department, the President of his own political party, the Commander in Chief, denounced him as a liar. He said he had committed a willful distortion of the truth; and then, by some intellectual process of jugglery of which he is a master, he stated that therefore he was compelled to assume that he was against all his policies. Is that a good exhibition to make to the country of coordinating? The Senator from Oregon, the chairman of the great Military Affairs Committee, is responsible for every piece of effective war legislation that has gone through this Congress. If it had not been for him, we would not have had any Army; and yet his Commander in Chief treats him in that way, and calls it taking common counsel and coordinating! He assumes the right to criticize us. I reserve the right to criticize him when I think he needs it, although the Associated Press may not dare to do so.

The administration has pretty nearly got the country by the throat. It controls all the banks and trust companies through the Federal Reserve Board. It controls the whole shipbuilding industry. It controls all the railroads of the country through the Director of Railroads. It controls the food of the country through the Food Administration. It controls the production of the country by fixing the prices of wheat and other farm products. It controls the coal mines and the fuel of the country, and now we are asked to sign a blank deed and hand it over to the President to control everything and everybody in all the executive departments, and to redefine their jurisdiction!

Why, we have carefully attempted in statutes for a hundred years to put certain limitations and checks upon certain departments, and then, when the President has named his chief for the head of one of those departments and sends him over here, we have confirmed that man to administer those duties because in our opinion he had special fitness for those duties. Now, the President wants power to take all of one group of duties and bestow those duties and powers upon a man that the Senate never confirmed at all for that position. I might be willing to confirm Dr. Garfield for a fuel administrator, but it does not follow from that that I ought to hand the President a written power of attorney to make him Secretary of the Treasury at any time he wanted to, because he might not make a good Secretary of the Treasury. In other words, by a process of indirection, the provisions of this bill deprive the Senate of its constitutional right to confirm the heads of the executive departments and bureaus and commissions of this Government; and we seem to be proud to divest ourselves, or to attempt to divest ourselves, of the powers that the Constitution confers upon Congress.

I do not propose to be a Senator like a little white poodle dog or a spaniel running between the White House and the Capitol with a ball in my mouth and carrying orders back and forth, or delivering them. We are Senators of the United States, and our responsibility is just as heavy and our action is just as important as that of the executive departments. If any Senator or any Member of the House feels at times humiliated by the criticisms of Congress in the newspapers, and the jokes that are made upon it, and the denunciations that are rained upon it for its impotency and its lack of independence and originality

and backbone, it is our own fault because men will not stand up and vote their honest convictions. I will venture to say that there are not one-third of the Senators on the Democratic side of this Chamber who in their hearts are proud to vote for this bill, or believe that it is a good bill to pass, and yet they line up and vote for it—why? Because they want to stand in with the administration; because they do not want the President to send a telegram down through Mr. Tumulty or somebody to the Democratic committee, or through Mr. Vance McCormick, and say: "Send me up a man who will be good and do just as I tell him to. I can not manage this fellow. Send me up somebody that will be a cuckoo." That is the reason why they are going to vote for it. A government of the people and by the people, a great democracy of 100,000,000 free men, all come to heel just like a lot of little trained dogs in a dog show.

This sort of thing makes me sick, Mr. President, and I will not vote for the bill in any form.

Mr. SMITH of Georgia. Mr. President, it is my purpose to offer, a little later, the following amendment:

Provided further, That the authority by this act granted shall not extend to the functions, duties, or powers of the Interstate Commerce Commission or the Federal Reserve Board.

In offering that amendment I do not wish to be understood as meaning that the bill would be perfect if that amendment were adopted.

The PRESIDING OFFICER. Does the Senator from Georgia offer the amendment now?

Mr. SMITH of Georgia. Not yet. I am simply explaining that I intend to do so later. I wanted it understood, however, before I offered the amendment, that I did so because I thought it would take two of the most objectionable features out of the bill, not that the bill would cease to be objectionable.

The Senator from Connecticut [Mr. BRANDEGEE] has called our attention to the fact that the Constitution provides that all but the inferior officers are to be nominated by the President, by and with the advice and consent of the Senate. I do not know just what that means. Certainly some officers are not inferior officers. By this bill we propose to transfer, at the will of the President, the responsibilities of every major office to anybody he may name, though the new recipient of the duties was never confirmed by the Senate. I do not say it is unconstitutional. I do not know how far Congress can go in abdicating its responsibilities without passing unconstitutional legislation. I only know that for one I will not vote for such a measure, constitutional or unconstitutional.

Mr. BORAH. Mr. President, may I ask the Senator a question?

Mr. SMITH of Georgia. Yes.

Mr. BORAH. I take it that the measure would be just as unconstitutional after the adoption of the Senator's amendment as before.

Mr. SMITH of Georgia. Yes; but it would not be as dangerous to the country, for the reason that while there may be disturbances of government caused by it in spots, if you preserve the Federal Reserve Board and the Interstate Commerce Commission in my opinion you save from injury the banking system of the country and the industries of the Nation.

Mr. BORAH. The situation has resolved itself, then, into this, that it is a question of expediency as to how much we shall include rather than a question of the constitutional principle whether or not the bill should pass at all.

Mr. SMITH of Georgia. I did not say that I thought the bill was unconstitutional, even as it is.

Mr. BORAH. I do not know that the Senator has said so; but a number of Senators have advanced the theory that it is unconstitutional, but seemed to indicate that if certain amendments were adopted they would accept it.

Mr. SMITH of Georgia. I can not speak for them. I am speaking for myself. I have just said that I did not know how far Congress could go, in the transfer of responsibilities that the Constitution certainly authorized Congress to perform, without making the legislation itself unconstitutional. The Supreme Court has held that measures that went very far in the delegation of what might be construed as legislative responsibilities were not unconstitutional; and I have no fixed opinion as to where the power of delegation ends, if it ends anywhere, except in the discretion of Congress itself. Therefore, as to that question, the Senator from Idaho will have to ask some other Senator. What I am urging is that the worst part of this delegation is that delegation which reaches to agencies that are the most far-reaching in our industrial and commercial life.

The President might carry out the suggestions contained in the memorandum of the Senator from North Carolina, and con-

solidate certain features of the Agricultural Department with the office of Commissioner of Education. It would be a blunder, it would be foolish; but it would not strike at our industrial or commercial life. It would be a mistake that would soon be rectified. He might follow the suggestion made by the Senator from Tennessee and undertake to consolidate our Federal Trade Commission with a somewhat similar branch in the Department of Commerce. They are engaged in different work. The work is specialized and different in the two bureaus. I think it would be a blunder to make the consolidation, but it would not reach our industrial and our commercial life. It would be a less important blunder than to tear to pieces our Federal Reserve Board and our Interstate Commerce Commission.

The junior Senator from Colorado [Mr. SHAFROTH] frankly stated upon the floor that he favored giving the right to the President to interfere with the Federal Reserve Board. The act creating the board gives him the right to remove its members at pleasure; but when he makes a removal he must send another name to the Senate for confirmation, and we exercise our responsibility in saying whether the proposed new member is suitable. But this bill would let the President take all the duties of the Federal Reserve Board, which we have so carefully guarded in our banking and currency legislation, and transfer them to the Comptroller of the Currency or to an auditor of the Treasury Department. The Senator from Colorado goes further and says that the 12 Federal reserve banks are administrative agencies, and that the President would have the right to name the directors of any one of those banks, or name some other Government agent to operate them. I do not say that I accept that view, but I mention it to show you what an able lawyer and a great Senator thinks could be done. The men around the President might take the same position.

Why do I say that jeopardizes the commerce of the country? Because the banks of the United States have conducted their business, continuing and expanding credits and functioning during the war just as well as they did in peace, relying with confidence upon the organization we created and upon the officers of the Federal Reserve Board. If the views of the Senator from Colorado should be executed, the whole banking system of the country would be jarred from ocean to ocean, and you would see a curtailment of credits and a running to cover by the banks everywhere, in fear that wreck and ruin was ahead of them. Instead of the superb response to the needs of the country, which the banks have been giving for 12 months past, you would force them into contraction, you would force them to bring on liquidation, and you would break down the banking system and the credits of our country.

Senators, are we to vote for a bill with such a provision in it because any President has demanded it? I would tear up my commission and go home before I would deal such a blow to my country. Whip the Germans? No man lives who desires to whip the Germans more than I do. I would rather see this country of ours sunk 500 feet below sea level, and the oceans sweeping together over us all, than to have the Prussians treat the American people as they have treated the Belgians. I would rather wipe out whatever I have, and bury all my children and grandchildren and relatives, than to submit to the domination of the brutal Hun. It is because I wish to whip the Germans, it is because I know that the strength of my country must be maintained to whip them, that I oppose this unwise—to state it mildly—this inexcusable proposition to involve the entire banking system of our country in a state of uncertainty and doubt and almost ruin.

Now, when we come to the Interstate Commerce Commission there is still retained in that commission a power to hear and reverse action by the railroad managers; at least, there is a semijudicial tribunal, perhaps a legislative commission, charged with giving a party injured a formal hearing. Just what the Interstate Commerce Commission is I do not know. It is partly judicial, partly legislative, and partly administrative. It is a creation by Congress to perform a duty that rests upon Congress. But it has been created with certain limitations and directions which require from it the exercise of our congressional authority to pass upon facts and questions of law in a semijudicial way.

What is our Interstate Commerce Commission? A board of nine men, a number of whom have been upon it for years. They have been confirmed by the Senate. They have been studying the question of discriminatory rates for years. As a part of their force there are many examiners who have been trained for years, many of them having come up from civil-service clerks, who are now receiving \$5,000 a year as assistants. It is an organized, trained body of men charged with responsibility by the Congress of the United States—the lawmaking power in this country. What is it that is proposed? That we

shall let the President name anybody he sees fit, man or woman, if a Government officer or agency, to perform the duties that we have placed upon this great tribunal. Why? To win the war. How win the war? What does the President know about it that the Senate does not?

There are a dozen men in the Senate who know more about the Interstate Commerce Commission and its duties than the President or any man who ever was President. I would not trust any one Senator here alone to transfer the functions of the Interstate Commerce Commission; I would not transfer that authority to the entire Committee on Interstate Commerce of the Senate. If a change takes place in the functions of the Interstate Commerce Commission I wish it to come before Congress as a legislative measure and let it be considered by both bodies of Congress. That is the wise and constitutional course.

What change does the President wish to make in the Federal Reserve Board or the Interstate Commerce Commission? We have begged the Judiciary Committee to send and find out. We have begged them to obtain information. The answer we got was no. Things for change come up every day. We were told that was all the answer we could get. What has come up in the past 12 months during the war which should be changed? We received no answer. What kind of men are we that we lay down our responsibility at the mere bidding without explanation and without information?

Oh, yes; we got information and explanation. The Senator from North Carolina told us all about it. He said it was to win the war. Just as logically he could ask the Senator from Connecticut to crawl around this room to win this war. There would be just as much reason to believe it would win the war as that conferring power upon the President to interfere with the civil establishment would win the war. There is not a reason why; there is not an indication how.

Gentlemen, are we to jeopardize the industrial and commercial interests of our country without knowing why? I invite you to point out a change that should take place in either of these organizations. I invite those who represent the President to tell us, to treat us with respect, to regard our capacity as legislators. If we pass this bill as it is, we ought not to have any respect from any source; if we abandon our legislative responsibilities and say "take it all, do as you please," we would say to the President you know more about their duties than both Houses of Congress, or perhaps even we would say Dr. Garfield knows more than Congress.

The country ought to lose respect for all such legislators. We can not do it, gentlemen. If that is the kind of legislation that is to be done, if that is what my people want, I wish them to put somebody else in my place. I know it will hurt our country if the President tinkers with either of those two organizations. Either he is going to or he is not going to. If he is not going to, there is no use to put them in the bill; and if he is intending to interfere with them, I know he will hurt my country and help the Germans, and I protest against their being included in the bill.

I can not, therefore, as a loyal citizen of the United States, desiring more the defeat of the Germans than anything else, consent to jeopardize the industries and the commerce necessary to aid in this war just because there is a bill here containing that provision. The Senator from North Carolina has been commended for objecting to any amendment. Senators, what will the country think of us if we do it? What will we deserve to have all men think of us? Either that we do not think or we would not think.

I hope, therefore, that a little later on when I offer these amendments they may receive from the Senate a majority, protecting the bill from the things that will do the most harm and that will help the Germans most. The balance of the bill may inconvenience us and disarrange some of our domestic affairs, but I am not sure that any of the other changes will help the Germans win the war. I use the eloquent and vigorous language of the Senator from North Carolina. I only wish the Senate to understand that in offering the amendment which I shall do a little later I do not in any sense mean that I think it is all that ought to be done. I only mean that I think it is absolutely essential that these of our executive organizations should be freed from the danger of change without legislative consideration.

Mr. KIRBY. Mr. President, some day I am minded to take into my confidence the American people and tell them what I think about some of the Members of the Senate. I am not going to do it to-day, however, but I am going to address myself to this bill and briefly. I spoke in favor of it on February 15, and certainly it can not be said that the Senate has been proceeding without careful deliberation or with undue or unnecessary haste.

But the time has come when this bill ought to be passed. As one of the Senators said the other day, the time for peace talk has ended. It ended on the day when war was declared, and the time for prolonged discussion in the United States Senate that unnecessarily obstructs the passage of war legislation is also about past.

It seems to me that some of the Senators who were so swift to declare the war are laying down on the fight when it becomes necessary here to pass some legislation that the administration and all others acquainted with the conditions have regarded necessary for the successful prosecution of the war.

Some have said, What is the necessity for this legislation? Let us see. We have in our war establishment or in our machinery for conducting war several different boards and agencies. We have the Shipping Board, that is authorized to buy steel, that needs steel urgently, and that has the money to pay for it. We have a like agency in the War Department and in the Navy Department and the railroad department, all agencies of the Government. Now, all that need steel have authority to buy steel and all have the money to buy with.

Now, what is the condition? The supply of steel is limited. Who is there to say what particular one of these departments shall have what steel is on hand or what shall be paid for it? Nobody. There is no man, no governmental agency, in the United States to-day that can act by direct legislative authority to the exclusion of any other agency in the purchase of steel. There is an example, and that is a condition that is intended to be remedied by this bill.

The Secretary of War thought in building this machine this sort of condition might be avoided; that we might not duplicate effort; that we might eliminate competition among Government agencies and save the Government money; that we might say to one particular agency, "Your need is more urgent than that of the others, and you shall have the steel." He thought that condition might be brought about by the War Industries Board at the top of all these organizations, a voluntary organization, mind you, because all members of that organization are heads of departments under the direct authority of the President and may be removed by him. He thought by conference and adjustment and agreement that all such conditions might be remedied.

But what was the result? We had a great long tirade and unsparing criticism from the Senator from New York [Mr. WADSWORTH]. We had another from the Senator from Massachusetts [Mr. WEEKS]. We had another from the Senator from Oregon [Mr. CHAMBERLAIN], the chairman of our Military Affairs Committee, and yet another from the Senator from Nebraska [Mr. HITCHCOCK].

What said these Senators? They said it was impossible with this sort of an organization to conduct the war successfully; that there was a lack of concrete power, a lack of singleness of purpose, a lack of unity of action; that there was diversity of authority and loss of power; and that we must have some statutory, some direct and express authority in order to have this condition remedied. They proposed a minister-of-munitions bill. They proposed a war-cabinet bill. To this minister of munitions and to this war cabinet they gave all the powers and more than are proposed to be granted to the President here. Some of the powers proposed to be granted in the latter bill would have taken the conduct or direction of the war virtually out of the President's control and necessarily hindered and obstructed him in carrying on the war. If any one of them denies that let him stand up now and say so.

Mr. WADSWORTH. Mr. President, I deny it. There was nothing in the war-cabinet bill and there was nothing in the director-of-munitions bill which would authorize taking away from the Interstate Commerce Commission any of its functions.

Mr. KIRBY. And there is nothing in this bill which authorizes taking away from the Interstate Commerce Commission any of its functions. It is true the Senator from Georgia [Mr. SMITH] has seen fit to convince himself that there is a great boggy in this bill along that line. He has erected a mighty straw man here in proportions grand and tall, and he has punched him full of holes and torn him down and trampled him into the dust, but the inference that he draws is not warranted. It is not within the scope of this bill.

The distinguished Senator from Iowa [Mr. CUMMINS], a great lawyer, who understands the working of the Interstate Commerce Commission, and all of us agree that it is of great benefit in this Government of ours and has protected the people against extortion and outrage and robbery by our railroads, corporations, and common carriers; we all agree to that; but that Senator, great lawyer as he is, will not dare stand on this floor and say that the power of the Interstate Commerce Commission to review a rate, to determine the reasonableness of it, is an

executive or an administrative function, and only the agencies whose functions are executive or administrative can be affected by this bill. Now, that is the condition we find here. We can conjure up these things, we can say they are wrong as conjured up, but let a Senator point out where this bill will do it. It can not be done.

These other gentlemen have said we needed some unity of action, some direct express authority to do these things, to coordinate these agencies; and Willard, who was chairman of the National Council of Defense, a great railroad president; this man Gifford, who was secretary and statistician for the council; Catchings, who was the chairman of the United States Chamber of Commerce, each and every one of them, and two others, whose names I do not recall, the great men who were here and saw this organization as it was builded up, saw this agency increased here, saw one added over there, said it might be improved only in one way. How? By creating some authority that would be plenary; that would be concrete and elastic; that could be directly used by the President; that where there was shown to be conflict or friction it might be removed with this additional authority or this express elastic authority; that where there was shown to be slack in the operation of the machine, that slack might be taken up; that where it was not operating as smoothly as it might or with as much celerity as it should, that might be increased and more power added to it. It is like you had a great train to cross the mountains. You might not be able to carry it over with one engine, but you would not want two engines to go across the continent with that train only to help over the mountains when the condition arose and the necessity for the use of the second engine.

It is like a lighting plant here in the city; when it gets to the point where the usual power will not carry the peak of the load, you hang on another dynamo. You use the power where the power is needed and when it is needed. That is the purpose of this bill.

The Senator from Georgia has said, as has the Senator from Connecticut, that we do not want to destroy all the agencies that have been created from the beginning of the United States up to now; that Congress in its wisdom has thought that this broad executive power that has been granted to the President should be exercised in certain ways, and provided by laws, vehicles, procedures, and methods for its exercise. The Senator says we do not want to destroy all these vehicles; we do not want to destroy all these methods which the Congress in its wisdom has devised. That is true. We do not want to destroy them, and this bill provides the only method whereby we can have the additional concentrated power so imperatively needed without destroying them. If you pass a bill providing for a minister of munitions and give him certain duties and powers, it would necessarily repeal all other laws that affect that subject and are in conflict with the act, and destroy to that extent all former agencies exercising that authority. If you pass the other bill, the war-cabinet bill, it would do likewise, and there would be no authority remaining for the exercise of such powers except as contained in that particular bill.

This bill in its operation leaves all the existing agencies in the exercise of their proper functions when they are discharging them as they ought to be discharged, and only in case the necessity arises and the thing needed to be done can not be done to the interest of the Government by the agency in its accustomed operation is it expected that this authority will be used to change conditions and to improve them. Then, when the war is over and the need for the exercise of the power granted in this bill is ended, all the agencies affected by it immediately snap back to their present positions, to continue the exercise of their powers and functions as formerly under existing laws, that have at most only been suspended during the war and not repealed or abrogated by the passage of this bill.

Now, what is there so radically wrong about that proposition? There is nothing in this bill, I maintain, that can possibly affect the Federal Reserve Board and the Federal reserve banks or that will affect the operation of the Interstate Commerce Commission.

You know that the President has already been given authority to initiate rates and that they may be put into effect or inaugurated without the review by the Interstate Commerce Commission to determine whether they are reasonable as has always obtained heretofore. That authority has already been expressly granted, and certainly there is no need to confer it by or infer it from this bill. The other authority can not be withdrawn from the agency where it is placed—the Interstate Commerce Commission—the right to review and to declare reasonableness of rates, because its exercise is a judicial function and not an executive or administrative function, which latter only can be affected by the passage of this bill.

I am not going to talk longer, as I spoke on the subject two months ago. There may be a wide misunderstanding about the purpose and effect of the measure, but from the way some Senators have talked about it here to-day there is no occasion for it; and I want to say here now that I shall expect, as he has already indicated he will do, the chairman of the Committee on Military Affairs to support it. I shall expect the Senator from Nebraska, who has said we need a minister of munitions and need a war-cabinet bill to support this measure. I shall expect likewise the two distinguished Republican Senators who have insisted that such legislation alone can save the War Department from being absolutely puerile and useless to support this bill, because it contains the same grant of power, elastic power, and the right to use these agencies that all these gentlemen have said must be given before there was a probability of a successful conduct of the war.

I do not believe that any Senator here expects that we shall be other than successful in waging this war against the Germans yonder. I believe it is the purpose of every true American to stand by the flag of the country and that it shall be borne on to victory yonder. I think the best thing Congress can do at this time is to have regard for necessary war legislation and to pass it without too much delay. I think it should speedily finish up the appropriation bills. It should pass a revenue bill that would increase the revenue \$2,000,000,000 a year, say. Then I believe we ought to go home and let the executive departments wage this war. Let them conduct the war. Let them deliver the blow with the Army that this machine has been here lately in process of raising and organizing. Congress can not direct the fight, and it is about time we got down to realize that fact and put all the instruments that can be possibly used at the disposal of the other departments and let the war go on.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Nebraska?

Mr. KIRBY. Yes.

Mr. NORRIS. As I take it, the Senator himself—and I was in that class—was opposed to the so-called munitions bill and the war-cabinet bill.

Mr. KIRBY. Yes.

Mr. NORRIS. The Senator has just argued that those who favored those bills, for the reason they favored them, ought to favor this measure. Would it not follow that he and I ought for the same reason to oppose this bill?

Mr. KIRBY. My only reason for objecting to some of the matters in the munitions bill and the war-cabinet bill was because the Secretary of War said we had eliminated the difficulty by putting these other fellows at the top here; that since we have the Secretary of War and the Secretary of the Navy and the other men at the top of all these departments in the War Industries Board, and since the President is supreme over all and can remove any of them, he believed by that indirect power and pressure the situation could be controlled.

Mr. NORRIS. If that be true, then what is the use of this bill?

Mr. KIRBY. The Secretary of War has concluded there is necessity for it, and the President has found since he has gone along that it can not be done so well. Take the matter of buying steel—

Mr. NORRIS. May I ask the Senator a question?

Mr. KIRBY. Certainly.

Mr. NORRIS. If the Secretary of War was wrong in the other conclusion, then does it not follow that the Senator himself and myself were wrong in opposing the munitions and war-cabinet bills?

Mr. KIRBY. Not at all. I might agree that some of the provisions of the bill were right and I might have supported it under different conditions. The people at the top in the management of the war said, "We can do it better this way without interference," and I thought we should let them do it that way, where they were in charge, and thought it could be done. They have come to this other idea. They have said that this is the best way to do it, and why? Not because they dislike that, but because the machine so recently developed has not worked as completely as they thought it might do. There are certain agencies in these departments that work by their right being prescribed by law, and if this man has the authority and if he has the need for the particular stuff that ought to be bought and the money to buy it with, he might not listen to somebody else who says the railroads ought to have the steel, that the Shipping Board ought to have the steel, that the War Department or the Navy Department ought to have the steel. That is where the trouble comes now. They have tried to adjust it. It takes too much conference, too much agreement, too much

adjustment, and wastes too much time to get down to final action and results.

Mr. NORRIS. May I ask the Senator a question again?

Mr. KIRBY. Certainly.

Mr. NORRIS. I understand he is of the opinion that the passage of this bill will not give the President the authority to interfere with the Interstate Commerce Commission or the Federal Reserve Board.

Mr. KIRBY. Yes.

Mr. NORRIS. There are other Senators here who are without any question honest and able, who have given a great deal of study to the subject, who think that it would give the President that power. As far as I am concerned, I would not like to see those powers interfered with, and I would like to give to the President every power that could possibly be given him to aid him in carrying on the war. If the Senator feels that way, does he not think that as long as there is a substantial doubt among Senators who believe that we are giving him that power the remedy would be to amend the bill by taking the particular boards I have mentioned out of the bill?

Mr. KIRBY. I do not think so, and for this reason: This is a war measure which was intended to remedy a condition that needed remedying. Nobody now is authorized to decide what particular one of these agencies which have need of the steel on hand should have it. They all have the authority to buy and the money to pay for it, and nobody now, except a voluntary priority board, has authority to say who shall have the steel—whether the railroads, the Navy, the Army, or the Shipping Board. This agency the President might appoint would be supreme over them all for that particular purpose, so as to give the steel to the Navy, if it needs it most, and to send it out now.

Mr. NORRIS. The President would still have that power, with the exceptions I have noted.

Mr. KIRBY. Just a minute.

Mr. NORRIS. He should distribute the steel without any trouble.

Mr. KIRBY. When we get down to the question of the Interstate Commerce Commission is there anything wrong with the Interstate Commerce Commission? Has anybody complained about its action recently, about its having done anything unjustly or with having usurped any power? No. Has any complaint been made about the other commission? No. Have we not given power to strengthen the Federal Reserve Board, the Federal Trade Corporation to finance the world, as it were, at least the United States, while the war is going on? There is nothing wrong with these agencies. There is no remedy expected to be applied to them. Do you think the President has time to go around to disorganize and derange and to destroy your agencies that have done nothing but good and against which there is no complaint in order that he might remedy a particular condition?

This is a bill it seems to me that ought to be passed, and I have given you the reasons. It is an elastic authority; it is a direct authority; it is a complete authority, supreme over all these agencies. It will eliminate competition and will eliminate diversity of action. It will save the Government money, it will save the Government time, and it will apply the resources to the war conditions where they are needed at the time when they are needed, and it will accelerate our preparation for war. It will make us stronger when we come to deliver the blow which will render the world free from this menace across the sea, and I believe the bill ought to be passed and without any further delay. We have had it under discussion for two months and a half. That is all I care to say.

Mr. KNOX. Mr. President, I have no desire and do not intend to make an argument upon this measure beyond stating some of the reasons why I am constrained to oppose it in its present form.

I hear nothing from my constituency in the way of a demand that I shall assist in striking a blow that will scuttle the constitutional construction of our Government as created within the boundaries of the Commonwealth that I have the honor to represent, in part, or that would violate the traditions of that great State within whose borders rest those famous shrines of liberty—Valley Forge, where the contest of endurance was fought out, and Gettysburg, where the contest of arms was fought out.

Before stating my reasons for opposing the bill I wish to say that I do not desire to get into a controversy about any disputed questions of law in relation to this matter. I merely wish to put into the Record the reasons why I oppose the bill in its present form. Speaking broadly and divesting the bill of its verbiage, it provides, in my judgment, for two things. The first I shall put in the language of the distinguished Senator from Mississippi [Mr. WILLIAMS], who addressed the Senate yesterday

afternoon, in which he stated that the sole object of the bill is to harmonize executive action and unify executive purpose. I do not agree that that is the sole object of the bill, but I accept it as defining the purpose of the first section of the bill. I think it is fair to say that the first section of the bill contemplates the harmonizing of executive action and the unification of executive purpose; and, Mr. President, so far as that portion of the bill is concerned, I entirely agree that it may be passed without injury to the country, although, as I have said before, I see no necessity for its passage for that purpose.

The distinguished senior Senator from Minnesota [Mr. NELSON] yesterday did me the honor to quote what I said upon that subject upon a former occasion, and whatever doubt I might have entertained as to the soundness of my views, those views are confirmed by the high authority of his approval. The Senator said:

I agree with the Senator from Pennsylvania [Mr. KNOX] in the remarks he made the other day, namely, that nearly all the powers that this bill proposes to vest in the President he already has. Let me quote from the Record what the Senator from Pennsylvania said:

"Mr. KNOX. I think the President of the United States has the authority to require every executive officer and every department of the Government to do anything that he directs to be done in order to prosecute this war to a successful conclusion. I think he has the power to delegate from one Cabinet officer to another the discharge of any particular duty that he thinks such a Cabinet officer can discharge better than the one upon whom it would normally be incumbent. I do certainly think that the President has all those powers."

Again, I quote from him:

"Mr. KNOX. I have the very highest respect for those advising the President of the United States; but if that responsibility were cast upon me, as I have read the Overman bill, in so far as it proposes to authorize the President to utilize and coordinate executive activities, so far as I can see what it means from its language and so far as I am informed in this particular by those who are back of the bill, I would not hesitate a second to advise the President of the United States that he now fully possesses that power."

Or, in other words, to revert again to the language used by the Senator from Mississippi yesterday, I think that, to the extent the bill is intended to harmonize executive action and to unify executive purpose, it is at least harmless.

Mr. President, there is one other suggestion that I desire to make in connection with bringing about a new condition or a new scheme of coordination in the executive departments. There are two arguments made for the necessity of this bill. The one is the necessity for coordination; and the second argument is the necessity of doing away with duplication of work. I desire to read to the Senate what the President of the United States has said about new schemes that are proposed for coordination, and then I propose to read next what the Congress of the United States has said and has done in regard to obviating excessive duplication of work in the executive departments.

You will all recall, Mr. President, that in January, 1918, a letter was read to the Senate, which was addressed to the chairman of the Committee on Military Affairs [Mr. CHAMBERLAIN], dated the 11th day of January, 1918, and signed by the President of the United States. The President in that letter said:

THE WHITE HOUSE,
Washington, January 11, 1918.

MY DEAR SENATOR: When you and Senator HITCHCOCK were at the White House the other evening we were discussing various suggestions of coordination and means of speeding up the military program, and among other things you told me that you had in mind a bill for the creation of a munitions ministry.

That, of course, set my mind to work on that particular suggestion, and I feel that I ought to say to you, now that the matter is clear in my mind, that I hope sincerely no such recoordination will be attempted. For one thing, it would naturally include the Navy as well as the Army and would, so far as the Navy is concerned, bring about, I fear, a dislocation of activities which would cause delay where there is none that is avoidable; and in regard to the Army, I think that nothing substantial would be accomplished. Indeed, I believe that delay would inevitably be produced by such a measure.

Now, here come the golden words—

I have had in the last few months a great deal of experience in trying to coordinate things, and upon every fresh coordination delay inevitably results, and not only delay, but all sorts of cross currents of demoralization which are very serious impediments to the effective conduct of business.

And yet we are besought to force upon the President or to put upon the President without any word of authority from him that he desires the power—a new, complicated, untried, undefined, and undefinable scheme of coordination unguided by the light of his experience.

Mr. President, a few days later we had still further information from the White House in regard to schemes that had sprung from the brain of senatorial wisdom, seeking to advise the President how he might coordinate and carry on his activities as the Chief Executive of the United States; and this time it was in a letter to the Senator from Kentucky [Mr. JAMES], which reads as follows:

THE WHITE HOUSE,
Washington, January 23, 1918.

MY DEAR SENATOR: You have been kind enough to tell me that you had heard that I had written a letter to the chairman of the Senate Military Affairs Committee concerning the idea of a munitions minister, and you asked me whether I did write such a letter. I did, and am glad to send you herewith a copy of it.

The consultation referred to with Senator CHAMBERLAIN, to whom the letter is addressed, was upon the subject of the various difficulties and delays that had been encountered by the War Department, as shown by the testimony before the Senate committee, and the Senator merely mentioned to me that he had a bill in mind to create a munitions ministry. He gave me no detail of the bill he had in mind, and it was only when I learned afterwards from others of the real character of the proposals that I felt it my duty to write to the Senator and apprise him of my attitude. I assumed from what I heard later that that particular proposal had been abandoned, and I was referring in my statement of the other day to the very surprising proposal to create a superior war cabinet of a type unknown to our practice or institutions.

A just protest from his point of view against the violation of the practices and traditions of our institutions in creating a superior Cabinet for a specific purpose, whose powers, jurisdiction, and scope could no more compare with the superior President who would be created by this bill than the twinkling of the tiniest star with the shining brightness of the sun.

Mr. President, there is no man in this Chamber who is not willing to do all he can do, more perhaps than he ought to do, to uphold the hands of the President in this war; but the time has not come, the foe is not yet at our door, for the sake of whose repulsion we should be required to turn our backs upon the spirit of our institutions and to wreck the machinery of our Government that has been over a hundred years in construction.

Mr. President, I had difficulty in reaching a conclusion about this measure; but at last a thought came to my mind which clarified my duty, which made it perfectly easy for me to answer the question: "Shall I vote yea or nay upon this measure?" and I ask each Senator to put this question to himself: Should you vote for this bill unless you would be willing to vote specifically for anything that is possible under the bill? For instance, if you believe that under the provisions of this bill the powers of the Federal Reserve Board could be transferred to a minor official of the United States Government, or the Federal reserve banks could be merged in any insignificant national bank of the country, and that bill stood alone, would you vote for that bill? If you would not, you should not vote for a bill that includes that power. If a bill was proposed to transfer the functions of the Interstate Commerce Commission to an inferior officer of the Government, would you vote for that bill if it stood alone? If you would not, you should not vote for this bill.

Mr. OVERMAN. Mr. President—

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Pennsylvania yield to the Senator from North Carolina?

Mr. KNOX. I yield.

Mr. OVERMAN. I take it, from what the Senator from Pennsylvania has said, that he would not vote for such a bill as he has described.

Mr. KNOX. I certainly would not.

Mr. OVERMAN. Does the Senator from Pennsylvania assume to himself more honesty, more statesmanship, and a higher sense of duty than are possessed by the great Executive head of this Government?

Mr. KNOX. Mr. President, I am glad to answer that question. I challenge the Senator from North Carolina to recall from his memory or to search to-morrow morning the RECORD of what I have said this afternoon, or to go over anything that I have said heretofore on the floor of the Senate since the declaration of war, from which he can draw any conclusion that I have assumed anything upon my own part. I am stating, sir, what I started out to state; I am giving the reasons why I am going to vote against this bill.

Mr. OVERMAN. That is the question I want to put to the Senator. He says he would not vote for such a bill as that which he has described, nor would any other Senator vote for such a bill. Then the Senator is bound, under the same reasoning, to say that under this bill the President of the United States, acting for the people of this country, with statesmanship and ability and honesty, would not transfer the authority in the manner which the Senator has suggested. Is not that a just conclusion from what the Senator says?

Mr. KNOX. Mr. President, I am arguing that we ought not to vote for a bill that gives the President such authority unless we would vote specifically for a measure that gave him that authority, and nothing else.

Mr. OVERMAN. And I intend to vote for this measure on the assumption that the President would exercise the powers conferred with the same honesty and the same ability as would

the Senator from Pennsylvania, and, therefore, would not attempt to interfere with the Federal Reserve Board.

Mr. KNOX. I think the question of the President's patriotism, the question of the President's ability, the question of the President's honesty has been lugged into this matter by the ears. I am not discussing anything in relation to the President or his characteristics. I am willing to concede that the President is, of patriots, the most patriotic; of honest men, the most honest; of wise men, the most omniscient; but that has no reference whatever to the point that I am seeking—although I am afraid not very clearly—to make upon that particular proposition, and for the benefit of the Senator from North Carolina I will repeat it. I will not vote for this or any other measure which, in my judgment, contains authority to do anything that I would not directly vote to confer upon the President. That is the test which I have applied to myself. I ask no other Senator to apply it to himself unless he seeks to do what I think we all ought to do—our plain duty under all the circumstances.

Mr. McKELLAR. Mr. President—

Mr. KNOX. We can only act each according to his own light. The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Tennessee?

Mr. KNOX. I decline to yield at present. We can only act each according to his own light. Mine, humble though it be, leads me in this direction. Distinguished Senators upon the other side or upon this side of the Chamber, acting from superior light, may reach different conclusions, but I am merely attempting to state my own. I shall be glad now to yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, I wish to ask the Senator from Pennsylvania a question. He says he would not vote for any measure which contained authority to the President to perform an act, which authority he would not vote for directly and specifically to give the President. The Senator, of course, understands that the President under the present law could appoint 10 citizens of German birth, who had been naturalized, as members of his Cabinet. The Senator would not wish to restrict the President's power of appointment of his Cabinet simply because he has the authority under the present law to appoint 10 naturalized German citizens, if he sees fit, as members of his Cabinet, would he?

Mr. KNOX. The President does not have any authority under any statute that I ever voted for or will vote for; he gets his authority under the Constitution of the United States.

Mr. McKELLAR. But he has that authority under the Constitution of the United States, and, under specific laws passed in pursuance thereof, to appoint any qualified citizen to his Cabinet; and the Senator would not want to limit that general authority, would he?

Mr. KNOX. I must ask the Senator from Tennessee to permit me to go on, as I have only a few minutes more, and I wish to make one or two further observations.

Applying my test specifically to the provisions of the second section of the bill, I might cite, by way of illustration, half a dozen cases where I would not vote for a specific bill for the purpose of lodging certain powers in the President or in anybody else; but, as the Interstate Commerce Commission has been the case most usually cited, I will use that illustration as well. Senators know that the power "to regulate commerce with foreign nations and among the several States and with the Indian tribes" is a power conferred upon the Congress of the United States, and upon it exclusively. The very first time that clause of the Constitution came to the Supreme Court for interpretation the court said: This power rests exclusively in the Congress; it is complete; it has no limitations. We all know that at the time the Constitution was written, and for many years thereafter, this power practically laid dormant; there was nothing upon which the power could operate; commerce between the States was meager and conducted, such as there was of it, in such a small and humble manner—such as by stage coach and wagon—that there was no occasion to invoke the Federal authority over such commerce.

By and by the canal, then the railroad, then the expansion of population beyond the Alleghenies, then beyond the Mississippi, and on to the Pacific coast, the closer relations between the States, the growing population of the country, the increased manufacturing activities springing up, and the opening of the Great Plains for agriculture, created a large and a vast commerce between the States and between the United States and foreign countries, which eventually demanded regulation at the hands of Congress in order to protect the public against the unjust practices of the railroads, the steamship companies, and other instrumentalities of transportation. Then it was, Mr. President, that the Congress, realizing it to be its duty to lay the regulatory hand upon transportation, conceived the idea of creating

a great commission to carry out a great policy. That policy was the policy of Congress; it was a policy with which no other co-ordinate branch of the Government had anything to do in formulating or in putting into the form of law, except as the President, as a part of the legislative branch of the Government, signed the bill by which the Interstate Commerce Commission was created.

The policy established by that measure, stated in a sentence, was that the people of the United States were entitled to have the highways of commerce kept open to all upon equal and reasonable terms. In order that that policy should be carried out and that the small man with a small consignment of goods should stand upon the same footing as the man with trainloads of goods upon these highways of the Republic, the Congress created a commission to supervise the lines of transportation, to hear complaints where injustice was alleged, to pass upon the reasonableness of rates and the fairness of practices, the manner of the distribution of cars, and, generally, to see that all were treated alike upon the common highway.

That, Mr. President, is not an executive commission; it is an administrative commission, and if we were to undertake to transfer the execution of the policy of Congress to any official of the United States, no matter how distinguished or how capable or how patriotic he might be, we would be abdicating our function of supervision over the policy which we established and the commission which we created.

Now, as to the constitutionality of this bill, I do not propose to get into the web and the mazes of a technical discussion of constitutional law. It may be technically true, Mr. President, although I do not accept the proposition, that we may confirm a man for a high office and then immediately confer upon the President of the United States the power to transfer the performance of the functions and duties of that office to somebody else. But is it ethically sound? The Constitution of the United States provides in respect to all but minor offices that the officer shall be confirmed by the Senate. The President's power is a limited power. The President has the power to nominate to this body a man whom he believes to be qualified for an office, but the Constitution says that man shall not receive the appointment or obtain his commission unless he is confirmed by the Senate. Why? It is impossible for the President of the United States to be so well acquainted with the population of the country as to be able to make a solitary judgment upon the question of a man's capability. So the theory is that when a man's name is sent to the Senate the Senators from the particular State will know more about him than the President himself, and that the Senators from the other States will seek information from the Senators from the State from which the appointment has been made. In a particular case Smith, of Pennsylvania, is appointed to an office. You come to me and ask me what I know about Smith, if you are trying to do your duty, and you will perhaps be largely governed by the judgment which I express as to his character and his ability.

Now, Mr. President, can we be said loyally to adhere to the spirit, even if we are adhering to the letter of the Constitution, if we confirm a man to-day for a particular office because of his character, because of his ability, and because of his aptitude, and then pass a law that enables the President to transfer that official to some other duty or put some minor official in his place upon whose character, ability, and aptitude we have not passed? You are keeping the word of promise to the ear but breaking it to the hope in a transaction of that kind.

Mr. WOLCOTT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Delaware.

Mr. KNOX. I have only a moment or two longer, and then I will yield the floor.

Mr. WOLCOTT. I wish to ask the Senator a question, but if it would encroach too much upon his time I will not ask it.

Mr. KNOX. I will inquire how much time I have, Mr. President.

The PRESIDING OFFICER. The Senator from Pennsylvania began his speech at 3.57, but there was an interruption when a message from the House was received. The Senator has three minutes more.

Mr. KNOX. Mr. President, I prefer to conclude my remarks, then, without interruption.

Mr. President, in conclusion, I wish to say that another thought has occurred to me in connection with this bill. I think this whole proceeding is belittling the President. I think those who advised him that this measure was desirable or necessary have put him in a false position. They have put him in a position where he is reaching for crutches when he has wings, pinioned with power and with all the country's resources. He did not need such legislation as this when he appointed Mr.

Baruch at the head of the War Industries Board; he did not rely upon such legislation as this when he called Mr. Schwab, the great captain of industry, to take charge of the shipbuilding of the United States; nor did he think it was necessary to have such legislation in the selection of Mr. Ryan to look after the Aircraft Board. Three appointments have in fact advanced the program of war. If this measure is intended to speed the war, if this measure is intended to bring the war to a successful and speedy conclusion, I ask you to compare the petty things that it contemplates being done with the great things the President himself has accomplished without recourse to any such authority.

Mr. FALL. Mr. President, I am in rather thorough agreement with the Senator from Georgia [Mr. SMITH] in the statement that Congress has been abrogating its powers. I, however, am inclined to believe that the limitation has run; that it is too late to raise that question.

I do not intend to discuss generally at this time my idea as to the duty of Congress with reference to the national defense; but I do believe that the Constitution of the United States did not intend to create a dictatorship when it named the President as the Commander in Chief of the Army. I disagree entirely with that theory of government. I think that when the Constitution vested in the Congress of the United States the power to defend the country in time of war, it meant something.

I have always believed that the commander in chief of an army must be responsible to some power. I do not believe that the Constitution contemplated that the Commander in Chief, Gen. Wilson, should be responsible only and solely to the Chief Executive, President Wilson. However, it is too late to discuss those questions.

At an early period in this war legislation I undertook, by introducing a bill here with reference to the armed-neutrality measure of the President, to differentiate as I saw the difference and as I see it now. To provide that the President might have authority to arm ships was one thing. To provide that the owners or the crews of those ships might have authority to fire on the national vessels of another country was another thing. The one is an executive power, properly to be exercised by the President by a simple order allowing the ships to sail from a port with certain guns upon them. The other is a legislative power vested, in my judgment, solely in the legislature by the Constitution of the United States. This difference has been very thoroughly impressed upon my mind, but it is too late to discuss it. The Congress of the United States had the authority—and, in my judgment, it was its duty—if it was necessary at all to create a board of food control to create that board itself, to provide for the appointment of officers, to retain jurisdiction over the acts of those officers, and to retain to itself the power to hold those officers responsible for the performance of those duties, which, in my judgment, it clearly could do. The Congress of the United States has vested all those powers in the President of the United States.

We are now confronted, as has been said more than once, by a condition. The President of the United States—as the President—not as the Commander in Chief of the Army—has more power vested in him by the Constitution of the United States than is vested by the Constitution of Germany or Prussia in the Kaiser to-day. The President of France is elected by the French Assembly. The Prime Minister of England is chosen by the Parliament. The Parliament is conducting the war from the English standpoint, and the corresponding French body is conducting it from the French standpoint. Under our theory of Government, as it has been expounded and as we are now pursuing it, should this bill, an administration measure, be defeated, it could have no result whatsoever, except a purely negative result. The theory which has been adopted by so many of our lawyers and apparently adopted by our legislature in the carrying on of war is that the power of Congress is purely a negative power; that it can only refuse to grant some authority or to vote money for the carrying on of the war. I do not believe that the constitutional provision that no appropriation for the Army should be made for longer than two years was the only legislative limitation intended by that instrument to be imposed upon the power of the Commander in Chief of the Army; but, as I say, it is entirely too late to discuss those propositions.

The bill before us now I do not construe as it is construed by the eminent Senator who just preceded me and by so many others who are objecting to its passage. I think this bill should be entitled "A bill to fix administrative responsibility." In my judgment that is the effect of it, and for that reason I shall support it. I agree with many of the Senators who have said that for all practical purposes the Chief Executive possesses the necessary powers which will be giving him, or which are at-

tempted to be given him, by this bill. The condition which confronts us is this: The American people are told from day to day that the President can not prosecute this war successfully because of limitations placed upon his power by the Congress of the United States, or, as they put it, because of the failure of the Congress of the United States to confer the proper authority upon him.

Why, Mr. President, if the army of camouflage artists who are in the service of the different departments of this Government, either through the press or otherwise, could be sent to the trenches in France, they could relieve every Frenchman who is engaged in attempting to screen the heavy artillery or the boys in the trenches with their rifles. I maintain that the President has the necessary power already. I want to fix upon him the absolute responsibility for his acts. I want the people of the United States to understand that if there is a disgraceful controversy between John Skelton Williams, representing the transportation interests of this Government, upon the one hand, and Garfield, representing or misrepresenting the coal production, on the other, it is a family row in the White House; that it is the President quarreling with the President; that it is not the fault of Congress; that there is no lack of authority vested in the President to consolidate John Skelton Williams and Garfield, if he chooses to do so, now. But it is given out every day that because of the failure of Congress to act the President is hampered in performing his duty as Chief Executive and the Commander in Chief. In my judgment there is not one word of truth in this charge; but Congress stands responsible, through the efforts of these camouflage artists, to the people of the United States, rather than the President of the United States, who is responsible.

Mr. Hoover is no creation of Congress. Mr. Hoover is Woodrow Wilson. The authority which he exercises is vested in the President of the United States by the terms of the act, not in Mr. Hoover. The authority which is exercised by Mr. Garfield is vested in the President of the United States, not in Mr. Garfield. The President of the United States was responsible, and is yet responsible, for clogging the wheels of business of this country under the Garfield order. The President of the United States and not Garfield is responsible for refusal to even listen to the respectful request voiced by this body in its resolution asking that the operation of that order be deferred. Let the responsibility fall where it should—upon the President of the United States—and by the terms of this bill, when enacted into law, the man on the farm, the man in the factory, the man in the office, the men here in the Senate, the people in the galleries, can understand that no longer can these hired writers supporting the administration charge the Congress with a responsibility which does not rest upon them. Then the people, looking to the White House, the true throne of all administrative power—as the President himself has expressed it in some of his writings—can understand clearly, with the underbrush cut away, that the President is responsible for the conduct of this war, and he alone. If he is successful in its administration, as I said a few days ago, let his be the success. Congress will not perform its constitutional duties, in my judgment. It has so far refused to do so. As was said by the eloquent Senator from Mississippi [Mr. WILLIAMS], it has "passed the buck." Having vested the authority in every instance in the Chief Executive, let it be understood by the people of the United States that his, and his alone, is the responsibility, and let us hear no more criticism, in so far as Congress is concerned, of our failure or refusal to act.

The condition with which we are confronted is a state of mind. It is a temperament. The President of the United States, in my judgment, is a man of very peculiar temperament. It has been a very interesting study for me to devote a few minutes from time to time to an attempt to arrive at the method by which he reaches various conclusions upon various subjects. In my studies along this line I have delved into the writings of the eminent author, Dr. Wilson, from time to time and have been very much impressed with passages from his various books and speeches. One of those which I have in mind now I have before me in the shape of an extract from Congressional Government, by Dr. Wilson, which was published in 1885, during the administration of Grover Cleveland. I think nothing could be more instructive than for us to contemplate for a moment the Presidency as Dr. Wilson understands it and his ideal President.

I read from pages 41 and 42 of Congressional Government. Dr. Wilson said:

The President . . . was constituted one of the three great coordinate branches of the Government; his functions were made of the highest dignity; his privileges many and substantial—so great, indeed, that it has pleased the fancy of some writers to parade them as exceeding those of the British Crown; and there can be little doubt that, had

the presidential chair always been filled by men of commanding character, of acknowledged ability, and of thorough political training, it would have continued to be a seat of the highest authority and consideration, the true center of the Federal structure, the real throne of administration, and the frequent source of policies. Washington and his Cabinet commanded the ear of Congress, and gave shape to its deliberations; Adams, though often crossed and thwarted, gave character to the Government; and Jefferson, as President no less than as Secretary of State, was the real leader of his party. But the prestige of the presidential office has declined with the character of the Presidents.

Mr. President, there is no doubt in the world that in the minds of many, possibly of a majority, of the good citizens of this United States, the Government of the United States is now in the hands of the ideal President. There is no doubt in my mind now that the President himself has achieved the ideals in the mind of Dr. Wilson; that the present Executive, in the judgment of the present Executive, combines all the great qualities of Washington and of Adams as a President, and all the great qualities of Thomas Jefferson as the leader of his party. As a matter of fact, it has been rather impressed upon me that the latter is considered by the President at times the greatest achievement of all, because he is constantly telling us that he is the leader of his party. Unfortunately for us, not only are the vast powers, the enormous powers, practically all the powers, vested in the President of the United States to conduct this war but we have combined with that the difficulty of laboring under the form of a party government, and not at this time alone the form of a party government, but the form of a partisan government. You will all admit, the Senators upon the other side will admit, that these are facts which I am stating to-day. There is no question about the fact that a great committee, controlled by the majority Senators upon the other side, can not allow the selection as chairman of that committee of the man most eminently qualified of all others possibly of this body or in either body of Congress, purely because of partisan politics.

Unfortunately, we are confronted with that state of affairs—the fact that this is a party government. I am not criticizing the Democrats more than I would criticize the Republicans if they were in power. Very likely, under our party form of government, if there were a Republican majority in this body it would be just as partisan, and would refuse to surrender any part of its committee control or patronage, just as the refusal would come from the other side.

It is unfortunate for us in time of war that we have a partisan Government. It is unfortunate, I may say, in my judgment, that we have at this time in the White House a President whose conception of the enormous burden resting upon him as a party leader is so vivid at all times in his mind. Those matters are unfortunate, but the difficulties are the fault of our form of Government and not of the present generation. We must meet them, therefore. We must understand that the President of the United States wants all power. We must understand that under our party system of government he is going to get it. I am going to assist in giving him every particle of power which he asks for as necessary to carry on this war, because in my judgment the Congress will not assume the power, and it is necessary for some one to have it.

As I said in the beginning, I say now, as we are drawing to the conclusion of this war legislation let us give the President no opportunity or reason to say that the Congress has not absolute confidence in his ability and his patriotism or that it will hesitate at any moment to give him all the power that he demands.

I have confidence in the President's patriotism. I know that he is a man of very great ability. I have no confidence whatsoever in his judgment of men. He looks to himself as the ultimate source of all power, and I want to drive home to him the understanding that his is the ultimate responsibility for the exercise of that power. This is the reason that will dictate my vote upon this bill.

In so far as the amendments offered concerning the Federal Reserve Board and the Interstate Commerce Commission are concerned, Mr. President, I am not at all impressed with the arguments which have been made in favor of excluding from the operation of this bill the power to interfere with the duties of these two boards, except as those arguments have been advanced by sincere Senators, able Senators, in whose judgment I have very great confidence. As a personal matter, because of their very great interest and feeling in the matter, which I know is only dictated by their sincere convictions, I am rather inclined to vote for the amendments excluding the Federal Reserve Board and the Interstate Commerce Commission from the operation of this bill. Under the general theory upon which I am proceeding in voting for the bill, I regret that these Senators have proposed such amendments. I regret that they have placed me in a position where, not considering the matter of any importance upon the one hand or the other, I am

rather inclined to vote as they think is best in this particular matter. I would very much prefer that there should be no exception whatsoever. However, I can not see where in the future any friend of the President can claim that by excluding from the operation of this bill the Interstate Commerce Commission upon the one hand and the Federal Reserve Board upon the other we have restricted the President in any way so that he can not perform his duties as Commander in Chief of the Army. Should he raise that question, should he say to the Congress, or should one of his servile followers say, that by such exclusion we have in any way whatsoever tied his hands so that he can not properly carry on this war, I will unhesitatingly vote at any time to place those two departments of the Government within the provisions of this bill.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The bill is in Committee of the Whole and subject to amendment. If there be no amendment to be proposed—

Mr. JONES of Washington. Mr. President, there are Senators here who I know have amendments that they desire to offer.

The PRESIDING OFFICER. Amendments are in order. There is no amendment pending.

Mr. WADSWORTH. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from New York offers an amendment, which will be stated by the Secretary.

The SECRETARY. On page 3, after section 2, it is proposed to insert a new section, as follows:

Sec. 3. That the President is further authorized to establish an executive agency which may exercise such jurisdiction and control over the production of airplanes, airplane engines, and aircraft equipment as in his judgment may be advantageous, and further to transfer to such agency, for its use, all or any moneys heretofore appropriated for the production of airplanes, airplane engines, and aircraft equipment.

Mr. WADSWORTH. Mr. President, the object of the amendment which I have offered must be apparent to every Senator who has heard it read.

May I say, in brief explanation—if any explanation is needed—that the so-called Overman bill by implication, at least, forbids the creation of any new agency by the President or any new bureau by any department chief, as I read the bill. The Senate will remember that the Senate Committee on Military Affairs, after a most exhaustive investigation of the aircraft situation, made a report stating the exact facts as of April 1, 1918, and among its recommendations urged that the production of aircraft, airplane engines, and aircraft equipment be placed under a single executive head, responsible to the President. In making this recommendation it followed the example of the administrations of more than one foreign government engaged in this war, and engaged likewise in the production of great air fleets. It also followed consistently the opinion of the committee, as voiced early in this year, in reporting the so-called director of munitions bill, which, much as this amendment would provide, authorized the President to create a directorship of munitions, and to transfer to that officer the production and manufacture of such munitions of war as the President deemed wise.

The Senate will remember that this morning there was published in the public press an announcement that Mr. John D. Ryan had been placed in charge of the production of aircraft and aircraft material; but upon an examination of that announcement it will be found that Mr. John D. Ryan, while placed at the head of a division of the War Department whose business it will be to supervise the production of aircraft and aircraft material, is, by virtue of his position as a chief of division, subordinate to the Assistant Secretaries of War and to the Secretary of War himself; and that the great problem of the production of aircraft and airplane engines, even under the admirable step in advance that was taken by the President and reflected in the order issued to-day, is still subordinate to the Secretary of War, and still subordinate to his assistants, as I read the order; and Mr. Ryan's position will not be that of a strong, independent, single-headed executive.

Furthermore, as I look upon it, unless some such amendment as I have proposed is adopted, either in a separate bill or as an amendment to the Overman bill—and I thought this was an opportune time to propose this legislation—unless some such amendment is adopted, as I understand the statutes, Mr. Ryan, as Chief of the Division of Aircraft Production, will not be clothed with the power of making contracts and spending money, for he does not occupy an office authorized by an act of Congress to expend money, and for whose support appropriations have been made.

I am not entirely certain that my colleagues upon the Senate Committee on Military Affairs agree with me in every respect in my opinion of the proper method of organizing and putting

through this aircraft program; but suffice it to say, Senators, that I am convinced that unless we put this program in the hands of the ablest man we can find in the United States—and it may very well be that no better man can be found than Mr. Ryan—and at the same time give him all the scope and power necessary to make the decisions himself, without reference to any one else—except, of course, the President of the United States—we will jeopardize the prompt progress of this work.

The amendment that I have offered adds to the Overman bill this additional power to be placed in the hands of the President, not the Secretary of War, by which he can create a separate and distinct executive agency, if he sees fit—I leave it to him—and clothe that agency with all the control and jurisdiction over the manufacture and production of an air fleet that he thinks that agency should possess, and at the same time authorizes him to transfer to that agency any or all appropriations heretofore made for the manufacture of airplanes, airplane engines, and aircraft equipment.

Mr. President, I feel very deeply upon this question. Of course, I have not the time nor the inclination, at this hour of the day, nor under the limitations placed upon me by the unanimous-consent agreement, to go into a long discussion of the progress thus far made in our aircraft program. It is not a pleasant or a pretty story to tell. I have every confidence that Mr. Ryan can do infinitely better than the organization which he is succeeding; but I should have the more confidence in his ability to carry this thing to a successful conclusion at a comparative early date were I sure that he was not hampered by any superior authority in all our Government, except the President of the United States alone.

Mr. OVERMAN. I feel that there are very strong reasons for such legislation, and I think the Overman bill is carrying out just what the Senator from New York wants to accomplish. Before passing on this amendment I want to examine the acts establishing the Aircraft Board. I think there were two acts passed. I ask the Senator from New York if there were not two acts passed regarding the Aircraft Board.

Mr. WADSWORTH. There is no legislation pending upon the aircraft problem, so far as I know.

Mr. OVERMAN. I am talking about the act which we passed appropriating \$640,000,000 for the Aircraft Board.

Mr. WADSWORTH. Let me assure the Senator from North Carolina that this amendment in no way can affect the functions of the Aircraft Board. The Aircraft Board has no functions except to sit at a table and debate, and that has been the great trouble.

Mr. OVERMAN. That has been the trouble, not only there but elsewhere.

Mr. WADSWORTH. And the Overman bill as written does not cure it.

Mr. OVERMAN. I think it does. The President is authorized to transfer functions and powers already granted by Congress. He appointed Mr. Ryan, who, as the Senator says, is a very capable man. I admit that there is a great deal of confusion there. There is an Aircraft Board, and certain officers appointed and certain duties imposed upon them and certain money appropriated for the purpose. This bill does not authorize the President to use any funds appropriated by Congress except for the purpose for which the money was appropriated. In the act we passed \$640,000,000 was appropriated. We created a board with certain functions. Mr. Ryan is at the head of it. Why can not the Overman bill transfer to Mr. Ryan the functions created by the act establishing the board and establishing the officers who have fallen down and put into Mr. Ryan's hands the money and tell him to go on and do the work?

Mr. WADSWORTH. My answer to the Senator from North Carolina is that functions such as he has described can not be transferred to Mr. Ryan because they do not exist.

Mr. OVERMAN. I say I want to examine the acts. I know we passed an act here of about eight pages establishing the board and providing for certain officers and appropriating a certain sum of money. That is what I want to see, whether under this bill those functions could be transferred to some one who will carry out the will of Congress.

Mr. WADSWORTH. The trouble is that Mr. Ryan does not exist as a governmental agency, as I view it under the terms of this bill.

Mr. OVERMAN. I think he is an administrative agent. That is what I want to accomplish.

Mr. WADSWORTH. My object is to give him real power. I am somewhat weary of these pretended improvements in the administration of this war machinery.

Mr. OVERMAN. That is what I want to give him—real power.

Mr. WADSWORTH. I want something real created. That is why I wanted a director of munitions, because he would be a real agent.

Mr. OVERMAN. That is why I am advocating the Overman bill; it is because I want to see something real.

Mr. WADSWORTH. The Overman bill says nothing, and thus far has meant nothing, because no one knows what can or will be done under it. This is some definite thing directed at the most difficult problem that now confronts our war-making machine.

Mr. OVERMAN. We have tried to carry out the views of the President.

Mr. WADSWORTH. Does the Senator desire to have the amendment go over until to-morrow?

Mr. OVERMAN. If the Senator desires.

Mr. WADSWORTH. I shall not insist on a vote this afternoon if the Senator wants to look into the question.

Mr. OVERMAN. I said I would like to examine the law. There are two acts which have already been passed on the subject of airplanes, and there is confusion in the two acts themselves, as the Senator knows. I want to examine the acts and see whether under this bill we can do the thing we want to do. I think we can, but I am not sure about it. I started out by saying that I wanted to examine those two acts, because I want to do not only with regard to the Aircraft Board but other boards just what the Senator wants to do in regard to the Aircraft Board.

Mr. KIRBY. I hope the Senator in charge of the bill will accept the amendment. I believe it only makes clear the purpose of the bill and is not inconsistent with it.

Mr. OVERMAN. I am not opposing the amendment.

Mr. KIRBY. I say I hope the Senator will accept it.

Mr. THOMAS. Mr. President, the Senator from North Carolina has referred to two aircraft laws enacted at the last session. It may be that there are two; indeed, I think there are; but I do not believe that they are contradictory to each other. I have here public act No. 48 of the Sixty-fifth Congress, which is entitled "An act to create the Aircraft Board and provide for its maintenance."

Section 2 determines that the number shall not be more than nine in all, and of whom the nine shall consist.

Section 3 fixes the tenure of office of the members.

Section 4 is the important one. Therefore I will read it:

That the board is hereby empowered, under the direction and control of and as authorized by the Secretary of War and the Secretary of the Navy, respectively, on behalf of the Departments of War and Navy, to supervise and direct, in accordance with the requirements prescribed or approved by the respective departments, the purchase, production, and manufacture of aircraft, engines, and all ordnance and instruments used in connection therewith, and accessories and materials therefor, including the purchase, lease, acquisition, or construction of plants for the manufacture of aircraft, engines, and accessories: *Provided*, That the board may make recommendations as to contracts and their distribution in connection with the foregoing, but every contract shall be made by the already constituted authorities of the respective departments.

It would seem, Mr. President, from the recitals of section 4 that the contention of the Senator from New York is sound, and unless his amendment or something which will be its equivalent is adopted either as a part of this bill or as an independent law, the new director of the Aircraft Board or of aircraft production may find himself entirely without power to make his work effective.

I quite agree with the Senator from New York that the time has come—indeed, we have been painfully conscious of it for some time—when efficiency and activity shall characterize the work of the Aircraft Board. We want battle planes. The need for them is crying. The need for them has existed for a long time. The President has appointed the right man for the right place. Let us place this amendment in the bill and give him the power which he must possess over every branch of production to the end that we may as soon as possible supply the Army across the sea with its needed equipment of fighting planes of every description. I regard this as one of the most important amendments that has been or will be offered.

Mr. OVERMAN. I agree that something like this ought to be done, but there is another act to which I wish to call the attention of the Senator. The first act is dated July 24, 1917. Then Congress passed another act.

Mr. THOMAS. This is the later act.

Mr. OVERMAN. Yes; Congress is always legislating and doing nothing. That is what I am talking about. We pass an act here and do not accomplish what we want to accomplish. I want to do what the Senator from New York wants to do.

Mr. WADSWORTH. The Senator remembers, of course, that the act from which the Senator from Colorado has just read was drafted by the Administration and sent to the Senate.

Mr. OVERMAN. I think so.

Mr. WADSWORTH. It has been a failure, and I want to improve it.

Mr. OVERMAN. The act which was passed July 24, 1917, the first act establishing the Aircraft Board, contains five or six pages, and I want to examine it. I am in sympathy with the view of the Senator from New York as to what ought to be done. I think there is merit in his amendment. I am opposed to creating any new agency in this bill, and I struck it out because I doubted whether we ought to give the President the power to create any new agency and to transfer these functions to some agency which Congress had not created. Congress has passed two acts, and still we have confusion. We are passing acts every day. Here I have on my desk a bill that has been in Congress for months, asked by the War Department, to transfer from the Quartermaster Department, because the President has no discretion under the limitations of the law, to the Provost Marshal's Office certain engineers to aid in construction work. It was here in the Senate on the calendar I do not know how long and could not be gotten up. It finally passed the Senate without any objection, and is now resting in the House of Representatives. It is no wonder that we have delays when we have to pass acts every time the President wants to do anything. We do not question it; it is passed here without objection, and when we pass an act we have to pass another act and then another act. How can we fight the war in that way?

Mr. WADSWORTH. Will the Senator inform the Senate how we can fight the war if the Senate is going to adjourn at 1.30 to-morrow?

Mr. OVERMAN. That is not my fault. I have tried to get this bill through, but, as we know, to-morrow is a holiday.

Mr. WADSWORTH. It should not be a holiday for the Senate of the United States. If the matter is as pressing as the Senator from North Carolina states we ought to stay here and work.

Mr. OVERMAN. I agree with the Senator fully but the Senate has agreed to adjourn, and I can not help that. It is a great holiday. The President issued a proclamation, and every city in the United States will observe it as a holiday, and the people are to assemble everywhere. Of course I could make no objection to it.

Mr. TOWNSEND. Mr. President, I have been surprised at the statement of the Senator from North Carolina in his condemnation of the bills which have been rushed through the Senate. I wanted to ask the Senator if there has been a single administration or war bill brought up here that has not been backed by the administration and prepared outside the halls of Congress, and has not the objection to their consideration on the floor always been that they were not properly prepared, and that they did not represent clearly the ideas which their advocates claimed they represented?

Mr. OVERMAN. I agree with the Senator. I want to give the President power instead of having him come to Congress and ask for every little bill required to be passed to consolidate and transfer the functions. I want to give him the power so that there may be some harmony and that business principles may be followed in conducting the war.

Mr. TOWNSEND. Do I understand the Senator now to advocate the proposition that all the emergency bills which have been presented to us, claimed as necessary for carrying on the war, are now mistakes and that we should sweep them all out of existence?

Mr. OVERMAN. I do not.

Mr. TOWNSEND. And give the power to the President to do as he wishes?

Mr. OVERMAN. Surely not, Mr. President, I would not think of such a thing; but I said we had to pass the bills. I do not know who drafted the bills. I voted for them because I thought they were necessary. Now, after the power has been given by Congress, and this Overman bill only refers to powers that have been given by Congress it allows the President to transfer the functions.

Mr. NORRIS. Will the Senator permit me to ask him a question?

Mr. OVERMAN. Certainly; I will be glad to answer it.

Mr. NORRIS. In reference to the act the Senator refers to, the one approved in July, I think, does not the Senator remember very distinctly that the day that bill was reported to the Senate we had unanimous consent to consider the unfinished business, and we were operating under a unanimous-consent agreement, and that at 2 o'clock we had to take up the unfinished business under that agreement?

I do not remember the bill we had up, but it was some bill we had to dispose of, and in the meantime if anything could be disposed of it had to be done during the morning hour. The

act to which the Senator refers and which he says was the first bill, and it was the longest bill, that outlined an aircraft program was reported to the Senate and called up during the morning hour. A demand was made that it should be passed by the Senate during the morning hour, and a Senator on the other side made an objection or debated it and took up the time, and it was not passed that day. The next day during the morning hour the bill was passed; and that was the only consideration the Senate gave to it.

Does the Senator remember that the first day when it came in the morning papers of New York in an Associated Press dispatch said, and it was published all over the United States, telling the Senate and the country that on that day this aircraft bill was coming up and that two Senators or three, I think, whom it mentioned by name, were expected to object to it; that the New York World, I think it was, had a long editorial on the very day that it was brought in, published in the morning before the bill was taken up here at 12, denouncing in very severe terms the men who it was said were going to object to its consideration that day; and that one Senator was denounced all over the United States through an Associated Press dispatch because he was going to object to that bill? When it came up the Senator mentioned never said a word. He did not object, and later upon the floor he stated as a question of privilege that he had never read the bill; that he did not know it was coming up that day, and that he had no objection whatever to it.

Those are the circumstances under which that bill passed the Senate. I mention that because the Senator from Colorado [Mr. THOMAS] very aptly said the other day if we would give a little better consideration to some of these bills we would not be under the necessity afterwards of passing other bills and amending them, and finding we had done poor work. But the very act the Senator mentioned was passed during the morning hour and it was passed, as I remember now, the next day after it was reported, when it had less than four hours for consideration, although it carried an appropriation of \$640,000,000.

Mr. OVERMAN. I have no doubt the Senator's recollection is right about it. Of course, I do not remember everything. I do not think I read that editorial, although I may have done so. I say we ought to have given more consideration to that bill, as we should consider all bills that come before us, but we need not delay them for a month.

Mr. NORRIS. If the Senator will permit me a little further, at the time I had a personal conversation with the Senator from North Dakota [Mr. GRONNA] after I had read the dispatch, and he discovered later that it was an Associated Press dispatch in which the announcement was made. It went all over his State, and he received letters of condemnation from all over the United States. He said on the floor of the Senate that he had never talked to a soul on earth in regard to the bill; that he did not have any idea the bill was coming up, and had never read it.

Mr. OVERMAN. I agree with all the Senator has said. As I said, we have passed so many bills without full consideration that we need this Overman bill.

Mr. NORRIS. We were pushed along by the press of the country.

The PRESIDENT pro tempore. The Chair must insist that Senators shall address the Chair, because every minute that is occupied by interruptions is charged against the Senator who has the floor.

Mr. OVERMAN. I wish to say that if the Overman bill does not do what the amendment proposes, I am inclined to accept the amendment. I want to do just what it proposes. I will look over the two acts to-night, and if I find this bill does not carry out what the Senator from New York proposes I shall be inclined to accept his amendment.

Mr. THOMAS. I am very glad to hear the Senator say so. As a matter of course he should be given the privilege of examining the two laws before the amendment is pressed. I merely wish to call attention to the fact that the law which I read was approved the 1st of October last, and it is therefore the latest expression of the lawmaking power on the subject. It is a general principle of construction that if there be a conflict between statutes the last expression of the legislature shall prevail. I do not assume that there is any contradiction between the first and the second of these acts; but it is the law upon the subject; and therefore the amendment offered by the Senator from New York is imperatively necessary in my judgment. I am satisfied that even if the construction of his bill by the Senator from North Carolina should convince him that it is already sufficiently broad to provide for the conditions outlined in the amendment of the Senator from New York, we should

nevertheless adopt the amendment, because in that case it certainly can do no harm.

Mr. SMOOT. I understood the Senator from North Carolina to ask that the amendment offered by the Senator from New York should go over until to-morrow.

Mr. OVERMAN. It was understood that the amendment would go over.

The PRESIDENT pro tempore. That is the pending amendment.

RECESS.

Mr. OVERMAN. I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m., Thursday, April 25, 1918) the Senate took a recess until to-morrow, Friday, April 26, 1918, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 25, 1918.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, for the spirit of heroism resident in the soul of man, which, in the supreme moment, lifts him out of himself and makes him divine; that it is not confined to any class or people, but is universal, suggesting the common origin of man in the one God and Father of us all; manifesting itself in the quiet walks of life, as in times of distress; in peace, as in war; in every home, hamlet, town, city, nation, round the world.

It is the charm of literature, art, and religious achievements and glids the pages of history, sacred and profane, rears monuments in every nation to its heroes.

In this hour of peril heroes are in the making, not only at the front, amid the roar of shot and shell, but in the home; fathers, mothers, wives, children are asking, not will he come back, but has he gone to serve his country and humanity; a heroism sublime and worthy of all commendation, in attestation of the world's great Exemplar, in His heroic sacrifice. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. TILSON. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Connecticut rise?

Mr. TILSON. I ask unanimous consent to extend my remarks in the Record by inserting an address delivered by me before the Aeronautical Engineers of America in New York City a short time ago on the subject of our aviation program.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks in the Record by inserting an address that he made in New York City on the subject of aeronautics. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the bill (H. R. 9832) to authorize the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding \$25,000 for the purpose of constructing dikes, flumes, and other works to confine the waters of Lowell Creek for the protection of said town.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WALSH. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. I rise to a question of privilege affecting the dignity and proceedings of the House.

The SPEAKER. The gentleman will state it.

Mr. WALSH. In the CONGRESSIONAL RECORD of April 24 appears a speech delivered by the gentleman from Alabama [Mr. HEFLIN] entitled "Mr. HEFLIN's reply to Hon. WILLIAM E. MASON, of Illinois." This speech, with one or two minor corrections, I think, in punctuation or abbreviation and transposition of words, and possibly one or two words omitted, is an exact duplicate of the speech made by the gentleman from Alabama [Mr. HEFLIN] on April 23. The gentleman from Alabama did not ask nor was he granted permission to extend his remarks in the Record upon the question of personal privilege to which he rose. And my point is that no Member has the right, after having made a speech upon the floor of the House

which is duly inserted and printed in the Record, to have that speech again printed in the back of the Record upon the following or any other day, without consent being given. Of course, I can understand how the gentleman from Alabama, considering that his motives had been impugned, should desire the greatest publicity to the statements which he made. It may be that he intended to have these remarks inserted in some other publication, the Reclamation Record, or some other document that is printed by the Government, but certainly no permission was given the gentleman to extend his remarks in the CONGRESSIONAL RECORD and to reprint the exact proceedings of April 23 in the Record of April 24 when those proceedings had been once printed.

Now, I submit that, with the great shortage of paper with which the Printing Office is confronted, it is hardly becoming the dignity of the House to permit such a matter as this to go by without notice. If there were errors in the remarks of the gentleman from Alabama, or if there were errors in the proceedings of the House upon the date when he rose to his question of personal privilege, they could easily have been corrected by him upon request. But certainly there is nothing in the rules of the House that permit this wholesale extension and repetition of proceedings that have once been printed. Therefore, in order to bring the matter properly before the House—

Mr. HEFLIN. I want to be heard, Mr. Speaker, on that.

Mr. WALSH (continuing). I move that the record of the proceedings [Mr. HEFLIN's speech] appearing in the Record for April 24 be expunged from the Record.

The SPEAKER. The gentleman from Massachusetts moves that the speech of the gentleman from Alabama [Mr. HEFLIN], appearing in the Record of April 24, be stricken from the Record.

Mr. HEFLIN. Mr. Speaker, I want to be heard on the subject.

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. HEFLIN. I rise to be heard on the motion.

Mr. WALSH. I have not yielded the floor. I will yield to the gentleman if he desires to be heard.

The SPEAKER. How much time does the gentleman desire?

Mr. HEFLIN. I do not know, Mr. Speaker. Will I have right in my own time to speak?

The SPEAKER. The practice and the rule is that the gentleman from Massachusetts has an hour, and at the end of the time, if he wants to move the previous question, or at any time during that period, he has the right to do it. If at the end of the hour he does not move the previous question, the Chair will recognize the gentleman from Alabama or any other gentleman who wants to be recognized.

Mr. HEFLIN. I hope the gentleman will not move the previous question. I would like to be heard. I do not want very much time.

Mr. WALSH. I think it only fair that I yield to the gentleman.

Mr. HEFLIN. Fifteen minutes?

Mr. WALSH. I think he ought to make explanation in less time than that.

Mr. HEFLIN. I do not know. Give me 10 minutes.

Mr. WALSH. I yield 10 minutes to the gentleman.

The SPEAKER. The gentleman from Alabama is recognized for 10 minutes.

Mr. HEFLIN. Mr. Speaker, I gave my speech day before yesterday to the messenger, Mr. Robinson, who comes around from time to time to get the manuscript of gentlemen who address the House. I said to him, "I do not want them to make any mistakes in this." He said they would not, but they did. Now, I do not know whether anybody had anything to do with causing the mistake or not. I do not suppose they did, but that Record made me say that I was proceeding under the rule "for political purposes" [laughter], and I disclaimed any such intention from the very start of my speech, and I said that what I was doing was my patriotic duty as I saw it.

I recall, Mr. Speaker, on a former occasion that I had 25,000 copies of a speech printed, and they made an error in that speech at the Printing Office, and Mr. Smith, the Record clerk, made them print the whole copy over again, because they had done me a wrong and had made a mistake in the print of that speech.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. MADDEN. The gentleman was paying for that?

Mr. HEFLIN. I did not pay for the next copy.

Mr. MADDEN. I know; but if they had not printed according to instructions they would be compelled to print it over. But the gentleman paid the bill?

Mr. HEFLIN. Yes. But now the gentleman would permit somebody in the Printing Office to do me an injustice and have the speech containing that injustice go all over the country and put me in a wrong light and make me appear to be saying what I did not say.

I know, Mr. Speaker, that the gentleman from Massachusetts [Mr. WALSH] has suggested that I could have gotten up here and have had the permanent Record corrected; but that is not sufficient. This Record will be the Record that will be read all over the country, and the permanent Record would not be read, maybe, for a year; and they have put me in a false position before the House and the country.

I want the gentleman to read what is in the Record of April 23, beginning with the words—

I have commended the course of men on both sides, but because I see fit to reply to a Member's speech that he makes upon the floor of this House.

Listen:

I hold, Mr. Speaker, and I believe the Speaker will hold, since the matter is laid before him, that I am proceeding in the line of privilege provided for for political purposes. No; gentlemen. Nothing is further than in the rules. I am not attacking the gentleman from Illinois that from my mind, although one paper in my State has played up his speech, published it in full, and attacking me—a strange thing.

Did you ever hear of such a mixed-up mess of stuff? [Laughter.]

Here is the way they made the mistake: They cut these pages apart; they have 25 men setting up the type at once. They take the scissors and cut the pages, and one man is setting up one part here and another man is setting up another part yonder. That is the way they cut it up. I submit to the gentleman from Massachusetts that I was entirely correct in my position.

I will tell you how I got it published again. I went out here and asked Mr. Smith, the Record clerk, how this happened. He called them up, and they said they would look into it. I said, "I want that speech printed again, or I will bring it to the attention of the House." He took it up with the Printing Office, and they said, "Tell Mr. HEFLIN it will be printed again." Then he asked me what heading to put on it, and I said, "Just say 'Mr. HEFLIN's reply to Mr. MASON.'" That is all.

Mr. Speaker, the first Record has gone to the country, and I want the corrected Record to follow.

It is not sufficient, I repeat, in a case of this kind to correct the permanent Record. The Record as printed to-day is correct. The printing of the corrected copy harms no one. Of course, the gentleman from Massachusetts wants to save the cost of paper. There are just four pages. I do not think you can make the American people believe that this is purely a matter of trying to save 35 cents and four sheets of paper. [Laughter.] Now, I hope the gentleman, after my explanation, will not insist upon his motion.

Mr. WALSH. Will the gentleman yield for a moment?

Mr. HEFLIN. I will.

Mr. WALSH. I observe the difference in the paragraph which the gentleman has directed attention to and that the lines became transposed; but it does seem to me that the speech ought to go out from one Record or the other, and that if the first proceedings are incorrect it will be just to the gentleman to strike it out there.

Mr. HEFLIN. I have no objection to striking out the speech in the first Record and letting this other stand. I ask unanimous consent that that be done.

Mr. WALSH. Mr. Speaker, I withdraw the motion that I made.

The SPEAKER pro tempore (Mr. GARNER). The gentleman from Alabama asks unanimous consent that the first remarks in the Record containing his reply to the gentleman from Illinois be stricken from the Record.

Mr. HEFLIN. The first insertion.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WALSH. Now I withdraw the motion I made.

The SPEAKER pro tempore. The gentleman from Massachusetts withdraws his motion.

SPRING WHEAT.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of the spring-wheat situation.

The SPEAKER pro tempore. The gentleman asks unanimous consent to extend his remarks as indicated. Is there objection?

Mr. WALSH. The gentleman's own remarks?

Mr. STEENERSON. The hearings on that subject.

The SPEAKER pro tempore. Is there objection? There was no objection.

MR. LAGUARDIA IN ITALY.

Mr. MILLER of Minnesota. Mr. Speaker, I ask unanimous consent that I may proceed for five minutes.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Speaker, a Member of this House whom all of us know, and whom we have learned to respect and admire during the time of his service here, has manifested splendid patriotism by jeopardizing his political fortunes and the pleasure of his service here by taking upon himself the uniform of our country, and for several months he has been serving in Italy in charge of the student flyers of our country there. The Associated Press of this country some weeks ago carried a brief outline of a most remarkable speech made by Representative LAGUARDIA, of whom I am now speaking. [Applause.] This speech was made at Milan, in Italy. Those of us who have not had the privilege of learning the condition of things in the locality of the city of Milan at the time he made this speech, and for many weeks prior thereto, can hardly appreciate the significance of his remarks to his auditors that day, and the meaning those words carried to these people in a region where apprehension prevails, where disaster was imminent, where patriots had begun to lose hope. It appears that shortly after that address a committee of Italians that had been appropriately appointed by the Crown for a certain governmental purpose, and who more particularly represented the Italians of Trentino, a part of Austrian territory but entirely Italian in nationality, addressed a communication to Mr. LAGUARDIA, which reveals much of the Italian thought and contains a distinct message that I think the membership of the House will be glad to hear. I desire, therefore, to ask that the Clerk in my time read this letter which the committee sent to Representative LAGUARDIA.

The SPEAKER pro tempore. Without objection, the Clerk will read it.

The Clerk read as follows:

[Commission of Emigration, Trentino. Organized by virtue of the prefectoral decree of Apr. 12, 1916, and approved by Royal decree July 25, 1916; No. 1142.]

MILAN, February 4, 1918.

To the Hon. Mr. LAGUARDIA,
Member of the American Congress:

The Trentino refugees in Italy no longer have here their former representatives.

The deputy from Trent, Cesare Battisti, after having preached the necessity of the war in all Italian cities, was made a prisoner while fighting and was hung by the Austrians.

The deputies from Rovereto and from the Trentino valleys, the mayors, and the local authorities, and the influential men are in Austria either under sentence or interned. They had not fled, believing it their duty to await at their posts the prompt arrival of the liberating army.

At present, therefore, the Trentino refugees in Italy are forming for themselves a vast association which will unite them all, so that with full authority can be made known to the allies, the Italianism and the right of Trentino to become united to Italy and saved from destruction. In the meantime the Trentino Commission of Emigration is speaking in their name.

We want the allies all to know that Trentino is a country completely Italian in race, in language, in customs, and that among this solid mass there is not 1 per cent of Teuton; that she has clung desperately to her language; and that her peoples have stood against German violence and German deceit, but that the war has exhausted and destroyed all her material if not yet her moral forces; and that should she be compelled to remain Austrian we would be irremediably obliterated by the renewed exasperated preponderance of our enemies, the Germans; that they have already confiscated our land and our property; they have deported more than a hundred thousand persons from their country to their ruin or death.

Trentino is of no value to Austria other than as an arm for dominating Italy; on the other hand, Italy can never live freely with such a wedge in her heart. We are an honest little people, trampled on and crushed, massacred and dispersed, but who do not wish to perish.

We do not wish to perish, and therefore we must be rescued from Austrian—that is, German—power. We have proclaimed all this loudly, and in the face of danger. There is no need of a new plebiscite. This would be to-day a nasty derision. It has been proclaimed by our deputies elected by universal suffrage. They are dead, incarcerated, or interned, and their voices to-day are stifled. It has been proclaimed by our mayors and our chiefs, including the clergy and the bishop, who shared the same fate. It has been proclaimed by the thousands of citizens condemned for high treason and whose property was confiscated; our prisoners who came from Russia, about 2,000, while many thousands have demanded it who are now in part, perhaps, arriving in America from Siberia; all the deported ones have demanded it, but above all our volunteers who have no voice but who with the ready offer of their lives cry out to the world the will and the needs of Trentino.

All of this we want to say and to prove to the allies and especially to America and to her great President.

We do not presume to think that our words and our grief can influence the decisions of your country, but since Wilson, in one of the most noble programs known to history, has solemnly proclaimed the right of small, oppressed nationalities to live, we want America to know that if there is a little oppressed people, menaced with destruction, solidly Italian, necessary to complete and assure the independence of Italy it is Trentino; that she looks with firm faith to the great American Nation, which proclaims and sustains to-day the rights of peoples, as

France and America once proclaimed and sustained the rights of the individual, and that she will not withdraw until a final and complete victory.

We present these considerations to you personally trusting that conforming to your very noble and categorical affirmations for final victory expressed by you, and trusting also to the warm sympathy of America for our country, you will cause to be heard the sorrowful but proud voice of Trentino, ready for every sacrifice, however great, for the triumph of her legitimate and sacred revindication.

CARLO ESTERLE.
FRANCO CRIVELLI.
GINO MARZANI.

ACCOUNTS AND EXPENDITURES OF THE POST OFFICE DEPARTMENT.

Mr. BELL. Mr. Speaker, by direction of the Committee on the Post Office and Post Roads I move a change of reference of H. Res. 307. This resolution having been referred to the Committee on Expenditures in the Post Office Department, I move that it be rereferred to the Committee on the Post Office and Post Roads.

Mr. KEATING. Mr. Speaker, I want to reserve a point of order on the motion. May I ask the gentleman if it would be agreeable to him and to the House that we have 10 minutes' debate on this subject, in order that the House may know what it is voting on? I would suggest that the gentleman from Georgia be given five minutes in which to state the position of the Committee on Post Offices and Post Roads, and that I be given five minutes in which to reply on behalf of the Committee on Expenditures in the Post Office Department.

Mr. BELL. I will say that it would be agreeable to me to make it 10 minutes on a side.

Mr. KEATING. I think five minutes will be sufficient.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the time be made 20 minutes.

Mr. KEATING. I do not think we are justified in taking up the time of the House to a greater extent than 10 minutes.

Mr. MADDEN. That is for the House to decide.

The SPEAKER pro tempore. The gentleman from Georgia has the floor.

Mr. KEATING. Mr. Speaker, I ask unanimous consent, pending the gentleman's motion, that 10 minutes be allowed on this motion, 5 minutes to be controlled by the gentleman from Georgia [Mr. BELL] and 5 minutes by myself.

Mr. BELL. Mr. Speaker, two or three gentlemen want 4 or 5 minutes each, and I would be glad if the gentleman from Colorado will agree to 10 minutes on a side.

Mr. KEATING. I think the whole thing can be disposed of in 10 minutes.

Mr. BELL. Mr. Speaker, I ask unanimous consent that there be 20 minutes debate, 10 minutes to be controlled by myself and 10 minutes by the gentleman from Colorado.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent that 20 minutes be allowed for debate, 10 minutes to be controlled by himself and 10 minutes by the gentleman from Colorado [Mr. KEATING]. Is there objection?

There was no objection.

Mr. BELL. Will the gentleman from Colorado proceed?

Mr. KEATING. No; "the gentleman from Colorado" feels that he should have the last word on this proposition.

Mr. WALSH. Mr. Speaker, does the gentleman from Colorado withdraw his point of order which he made but did not state?

Mr. KEATING. I have not.

Mr. WALSH. Then, I make the point of order that we can not discuss this matter with the point of order pending.

Mr. KEATING. The point of order, Mr. Speaker, I have no desire to press if we can arrange the matter of debate. The point of order is this: Under the rules of the House a motion to re-refer a bill must be presented immediately after the reading of the Journal. That is the rule. Other business has been permitted to intervene. The gentleman from Minnesota [Mr. MILLER] delivered a speech, and therefore the motion of the gentleman from Georgia is not in order. But, so far as I am concerned, I am willing to have the matter decided this morning in order that the question of jurisdiction may be determined. Under that suggestion I feel that my original unanimous-consent request should be granted—that is, that 10 minutes' debate should be allowed, 5 minutes to the gentleman from Georgia and 5 minutes to myself.

The SPEAKER pro tempore. The House has given unanimous consent for 10 minutes on a side. The Chair does not think that the spirit of the rule has been violated because the House gave unanimous consent to the gentleman from Minnesota, and therefore the Chair overrules the point of order and recognizes the gentleman from Georgia for 10 minutes.

Mr. BELL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, this resolution now before the Committee on Expenditures in the Post Office Department, and upon which that committee has begun an investigation without any authority whatever, had written on the back of the resolution when filed in the basket the following language:

Directing the Committee on Expenditures in the Post Office Department to institute an examination of the accounts and expenditures of the Post Office Department, and for other purposes.

That is the entire scope of the jurisdiction of the Committee on Expenditures in the Post Office Department as stated on the outside of the resolution; and, while I do not believe that it was written on the back of the resolution to deceive the Speaker, it certainly did deceive the Speaker into referring the resolution to a committee that had no jurisdiction over the subject matter of the resolution. The first paragraph of the resolution reads in the same language that I have just read, but all the rest of the resolution deals with questions that are not within the jurisdiction of the Committee on Expenditures in the Post Office Department. For example, it says:

The committee is further directed to institute and carry forward an investigation into the conduct and administration of the affairs of the Post Office Department in so far as they concern and apply to the collection, sorting, forwarding, distribution, and handling in any way of mail of the American Expeditionary Force either in this country or abroad.

The committee is further directed to institute and carry forward an investigation into the conduct and administration of the affairs of the Post Office Department in so far as they concern the mail of any of the organizations of the armies of the United States, either Regular, National, or National Guard, within the confines of the United States or any of its Territories or dependencies.

Then it gives them jurisdiction to institute and carry forward an investigation into the conduct and administration of the affairs of the Post Office Department in so far as they concern the mail between the cities of Washington and New York. It goes further and says:

The committee shall further make such recommendations as to reforms in methods and procedure in the department under investigation as may be justified by the evidence taken and as will affect economy and promote efficiency in the future administration of its affairs.

I submit that this resolution goes beyond the jurisdiction of the Committee on Expenditures in the Post Office Department, and that the jurisdiction belongs to the Post Office Committee.

Then it provides that it may appoint a subcommittee, which may administer oaths, appoint experts, send for persons and papers, and may, in effect, reorganize the Post Office Department.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARRETT of Tennessee. I have not seen the resolution nor heard of it, but if what the gentleman says is correct, it increases the jurisdiction and ought to go to the Committee on Rules.

Mr. MADDEN. This resolution certainly does not belong to the Committee on Expenditures in the Post Office Department; but even assuming that it did, I maintain that the Committee on Expenditures in the Post Office Department, and no other committee of the House, would have authority, by the mere introduction of a resolution, to begin an investigation. It would be compelled to wait until the House had passed the resolution before it assumed authority.

That is not all. It has been said by men on the floor of the House that the reason why they wanted the resolution to remain in the possession of the Committee on Expenditures in the Post Office Department is that the Post Office Committee will not investigate. I deny that. I deny the truth of the statement made by any man in this House to the effect that the Post Office Committee will not investigate these matters. The Post Office Committee has never faltered in the performance of its duty. I maintain that the statements to the effect that the Post Office Committee would not investigate are intended to deceive Members of the House in order that they may vote authority for an investigation as to matters over which the Committee on Expenditures has no jurisdiction whatever.

I do not think it is fair. I do not think that any committee ought to investigate until this House authorizes it; and surely this resolution is not in such form to-day that the committee over which the gentleman from Colorado [Mr. KEATING] presides would have the right to begin an investigation. I have no objection to an investigation of the Post Office Department. I would welcome any investigation that the House might order; and, as one member of the Post Office Committee, I would do in this case as I have always done in every case—perform my duty fearlessly, without fear or favor to any man.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. KEATING. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. FRANCIS], the author of the resolution.

Mr. FRANCIS. Mr. Speaker, as to the indorsement on the resolution, I imagine that was put on it by the Clerk, because the resolution when introduced by me on April 11 had no indorsement whatsoever.

There is a great deal of unnecessary to-do over the jurisdiction of this committee. There is nothing extraordinary or unusual about this resolution. When I sat down to prepare this resolution I took my book of rules to see what the jurisdiction of the Committee on Expenditures in the Post Office Department, of which I am a member, was, and the first paragraph of the resolution is taken verbatim from the statement in the rules of the jurisdiction of the committee.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. FRANCIS. In a moment. When it comes to the rest of the resolution, I turned back to the records of the House in the Sixty-second Congress, first session, where I found a precedent for the resolution, and that is House resolution No. 109, introduced by the gentleman from Virginia [Mr. SAUNDERS], which was referred to the Committee on Expenditures in the Post Office Department, and in substance the entire resolution as I have introduced it at this session is based on the resolution introduced by Mr. SAUNDERS in the Sixty-second Congress. That resolution was referred to the Committee on Expenditures in the Post Office Department, was considered by the Committee on Expenditures in the Post Office Department, and was reported out to this House, and on a unanimous-consent day was adopted by this House, and it is a square precedent. In order to enlighten the Members a little further on this, I shall point out that the resolution of the gentleman from Virginia—

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. FRANCIS. Yes.

Mr. GARRETT of Tennessee. May I direct the attention of the gentleman to the fact that this resolution directs an investigation to be made? This resolution has not been passed.

Mr. FRANCIS. What is the gentleman's question?

Mr. GARRETT of Tennessee. The question is, What authority has the committee to act?

Mr. FRANCIS. If the gentleman will permit, the gentleman from Colorado [Mr. KEATING] will answer that. If my resolution is all wrong, then the resolution that was introduced by the gentleman from Virginia [Mr. SAUNDERS] was all wrong, for I have followed his resolution.

His resolution provides, first, that the Committee on Expenditures in the Post Office Department shall investigate as to whether abuses exist to the prejudice of the public welfare, and that it shall further investigate the amount of work done and the number of hours devoted by postmasters and officials to their work, and that it shall further investigate the time devoted by postmasters to private enterprise and personal vocation; and, further, what degree of public interest has been disregarded in the establishment and discontinuance of post offices, and finally the extent to which postmasters have contributed to the expenses of political campaigns. The rest of the resolution of the gentleman from Virginia [Mr. SAUNDERS], which occupies a page and three-quarters, provides that the committee shall make such recommendations as to reforms in methods and procedure in the department under investigation as may be justified by the evidence taken, and that it will effect economy and promote efficiency in the future administration of its affairs. From there on to the end my resolution is taken verbatim from the resolution of the gentleman from Virginia. When the resolution was called up on unanimous-consent day the gentleman from Illinois [Mr. MANN] was in the Chamber, and he asked several critical questions in regard to the resolution; and Mr. SAUNDERS rose to its defense and it went through without any opposition whatsoever; and I submit that my resolution is properly before the Committee on Expenditures in the Post Office Department and should be left there.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. FRANCIS. Yes.

Mr. GORDON. The Saunders resolution, to which the gentleman has referred, related wholly and entirely to past events, did it not?

Mr. FRANCIS. No.

Mr. GORDON. I wish the gentleman would read from some clause there that does not relate to something wholly and entirely in the past, and I call the gentleman's attention to the fact that jurisdiction over expenditures in all of these departments is limited to past events.

Mr. KEATING. How can we investigate expenditures until they have been made? Necessarily they relate to events in the past. [Applause.]

Mr. FRANCIS. The first paragraph provides that the Committee on Expenditures is directed to carry forward an investi-

gation as to whether abuses exist. That refers to the present as well as to the past.

Mr. GORDON. It refers to past expenditures wholly and entirely.

Mr. FRANCIS. I yield to the gentleman from Illinois.

Mr. MADDEN. Mr. Speaker, I just wanted to say to the gentleman that the first paragraph of this resolution, of course, confines the committee to an investigation of expenditures, and they have that right without any resolution.

Mr. SIEGEL. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. KEATING. Mr. Speaker—

Mr. SIEGEL. Mr. Speaker, will the gentleman yield?

Mr. KEATING. No; I have not the time. As the gentleman from New York [Mr. FRANCIS], the author of the resolution, has stated, he has a perfect precedent in the Saunders resolution adopted by this House in the Sixty-second Congress. That resolution was referred by the Speaker to the Committee on Expenditures in the Post Office Department, reported back from that committee, adopted by this House, and an investigation held. The Committee on Expenditures of the present House might have taken advantage of this situation, might have met and reported upon this resolution, and in that way have clinched its jurisdiction. We were notified five or six days ago that this question would be raised. We preferred not to indulge in any sharp practice. We wanted the House to settle this question of jurisdiction. The Committee on Expenditures in the Post Office Department is charged with the duty of investigating the expenditures of the Post Office Department. This Congress has granted the Post Office Department a great appropriation for the purpose of establishing a mail service between this country and the expeditionary forces in Europe. How has that money been expended? Has the Post Office Department made good? Are the soldiers in Europe receiving the kind of service that Congress intended the money should provide? I submit that those questions are clearly within the jurisdiction of the Committee on Expenditures in the Post Office Department, and those are the only questions we have attempted to consider.

Gentlemen have said that without waiting for the passage of the resolution we have initiated a hearing, or an "investigation," as they have described it. They confuse a hearing on a resolution which has been referred to a committee with a formal investigation where witnesses may be sworn. The Committee on Expenditures in the Post Office Department, when this resolution was referred to it, undertook to ascertain if there was necessity for the kind of investigation provided in the resolution, and we called upon certain officials of the Post Office Department to appear and give us information as to how they had expended the money provided by Congress for the purpose of furnishing mail service between this country and Europe. We expected to follow that by ascertaining the kind of mail service they had provided for the Army camps.

The committee has proceeded without the suggestion of partisanship. It has not desired to embarrass the Post Office Department or any other department of the Government.

The committee has felt that this House and the people of this country wanted to know what was wrong with the mail service between this country and France, and it has proceeded in a proper fashion to ascertain the material facts. After it has procured sufficient facts upon which to base a report to this House, it will come back to this House and report on this resolution.

Mr. MADDEN. Will the gentleman yield?

Mr. KEATING. I will.

Mr. MADDEN. Does the gentleman think he has authority to investigate under this resolution before the House acts upon the resolution?

Mr. KEATING. The gentleman from Colorado is not "investigating." The gentleman from Illinois is confusing an investigation with a hearing. Why every committee of this House when a bill or a resolution is referred to it, if the bill or resolution is of sufficient importance, conducts a hearing which will enable members of the committee to determine whether they want to recommend the adoption of the bill or resolution to the House, and that is all the Committee on Expenditures in the Post Office Department has done, and I submit it is well within its jurisdiction.

Mr. GOOD. Will the gentleman yield?

Mr. KEATING. I will.

Mr. GOOD. Is not it true, if it is as stated by the gentleman from Illinois, that if there is a change to be made it ought not to go to the Committee on the Post Office and Post Roads but

ought to go to the Committee on Rules; that is, providing any change is to be made at all?

Mr. KEATING. Under the precedents of the House, the precedents established in the Sixty-second Congress by the party now in control of the House, led by the distinguished gentleman from Virginia [Mr. SAUNDERS], the place for this resolution is the Committee on Expenditures in the Post Office Department, and the Speaker or whoever made the reference did exactly right in sending it to that committee. [Applause.]

Mr. BELL. Mr. Speaker, I yield three minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS of Virginia. Mr. Speaker, I seem to have been drawn in an unexpected fashion into this controversy. It is true that I was the patron of the resolution referred to, but I made no request for the reference of that resolution to the Committee on Expenditures, or to any other committee. It was referred in due course, and the reference was never contested. Hence no precedent has been created. Many bills are erroneously referred. These references are sometimes contested, and sometimes not. In the case of the resolution referred to by the gentleman from New York, I submit that upon the facts an unchallenged reference does not establish the correctness, and propriety of that reference. Given time to make the necessary inquiry, I could point out many references that on motion could have been corrected, if that correction had been desired. Such erroneous references do not create binding precedents. At best they can be regarded as persuasive only. The resolution in question plainly does not belong to the Committee on Expenditures in the Post Office Department. Looking to the Manual it will be noted that all subjects relating to the post office, and post roads belong to the Committee on the Post Office. That is a sweeping grant of power. The Committee on Expenditures in the Post Office has a limited jurisdiction, relating to certain defined subjects. That jurisdiction is fixed by the precise and guarded language in the Manual defining the scope of the work of this committee. There is no sweeping grant of power to the Committee on Expenditures. What it may do is summed up under a number of detailed heads. Unquestionably a portion of this resolution relates to powers that belong to the Committee on Expenditures, but I take it as a matter of sound parliamentary law that you can not associate matter that in large degree belongs to one committee, with other matter in lesser degree that belongs to another committee, and then claim jurisdiction of the whole subject matter for the latter committee. Yet that is precisely what is proposed to be done by this resolution. Permit me to read the resolution, because the language used clearly indicates to which of the two committees now contending for jurisdiction, the resolution ought to be referred. The first paragraph unquestionably contains matter that belongs to the Committee on Expenditures in the Post Office Department. Reading further, we find the following:

The committee is further directed to institute and carry forward an investigation into the conduct and administration of the affairs of the Post Office Department in so far as they concern and apply to the collection, sorting, forwarding, distribution, and handling in any way of mail of the American expeditionary forces either in this country or abroad.

The Manual provides that subjects relating to the post office shall be referred to the Post Office Committee. Having that sweeping statement in mind, is there doubt in the mind of any Member of this House, that the investigation proposed in the language cited, is a subject appropriately belonging to the Post Office Committee?

A comprehensive and searching investigation into the administration of the Post Office Department, in an important field is proposed. It is not a matter of figures, of details, of expenditures, of accounts, but of inquiry into general departmental capabilities on a large scale in a wide field. Surely this is a subject relating to the post office. The same comments may be made on the investigations proposed in the paragraphs which follow the paragraph cited. They are not investigations of details of accounts and expenditures, but are inquiries relating to general administration of large activities at home and abroad. The committee to which the general subject of the Post Office Department is committed, should conduct such inquiries.

There is just one further suggestion I wish to make in this connection. If the Committee on Expenditures in the Post Office Department has the right to conduct these investigations, by virtue of the language used in the first paragraph of the resolution, then all that follows that paragraph so far as it relates to the investigations proposed, is surplusage.

If the Committee on Expenditures is entitled to proceed by virtue of the authority afforded by the Manual, then they ought to rest on that language, and content themselves with asking

for the power to compel the attendance of witnesses to administer oaths. Obviously the committee distrusted its authority to conduct these specific investigations, and preferred to secure it by specific grant. The resolution associates matters plainly belonging to the Committee on Expenditures, with matter that belongs to the Committee on Post Offices and Post Roads, with a view to conferring jurisdiction of the entire subject matter upon the Committee on Expenditures. More of the matters proposed to be done by this resolution belong to the Committee on Post Offices, than to the Committee on Expenditures. Hence as between these committees, this resolution should be referred to the Post Office Committee.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. BELL] has a minute and a half left.

Mr. GARRETT of Tennessee. Without interfering with the gentleman from Georgia, is it agreeable to the gentleman?

Mr. KEATING. Mr. Speaker, with all due respect, I think I must object to that. We must go on.

Mr. GARRETT of Tennessee. All I want to do is to speak in the interest of orderly procedure. I am not at all interested in the contest between the two committees.

Mr. KEATING. Mr. Speaker, I withdraw my objection.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that he may proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT of Tennessee. Mr. Speaker and gentlemen of the House, I only take the floor to speak in the interest of orderly procedure. It is a matter of indifference to me to which committee this may go, the Committee on Expenditures in the Post Office Department or the Committee on the Post Office and Post Roads. But, as a matter of fact, under the practice of the House this resolution ought to go to the Committee on Rules. Why? Because it seeks to extend the power of one of the regular standing committees of the House, whether it be the Committee on the Post Office and Post Roads or the Committee on Expenditures in the Post Office Department, and in order to extend that power and authority, then, in the regular way, it ought to go to the Committee on Rules and be reported from that committee.

For instance, on page 3 it says:

The committee is further empowered to employ, from time to time, such stenographers as may be necessary—

And so forth.

That part of it would probably go to the Committee on Accounts, and the gentleman from New York [Mr. FRANCIS] will doubtless look after that when the time comes. It authorizes the administration of oaths. Under the unbroken practice, wherever there has been a contest, in order to obtain additional power under the rules, such resolutions as this have been referred to the Committee on Rules and reported from that committee.

Now, it is a matter of indifference to me. As I say, I only speak in the interest of orderly procedure, and it seems to me the gentleman from Georgia [Mr. BELL] might very well change his motion and refer it to the Committee on Rules rather than the Committee on the Post Office and Post Roads, because exactly the same question would arise again if it be referred to the Committee on the Post Office and Post Roads.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. GARRETT of Tennessee. Certainly.

Mr. GRAHAM of Illinois. I want to ask a question for my own satisfaction. Where a resolution or bill has matter that is within the jurisdiction of one committee and also subject matter that is clearly within the jurisdiction of another committee, how is the committee to which the resolution or bill should be referred determined?

Mr. GARRETT of Tennessee. Those questions often arise, but those are legislative propositions, if the gentleman will permit. This is not a legislative proposition. This is a question of investigation and the question of power to be conferred upon a committee. This does not involve legislation in any way. It involves the question of what power should be given to a committee, and for that reason ought to go to the Committee on Rules, the regular committee of the House that deals with those matters.

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

Mr. SIEGEL. Mr. Speaker—

Mr. GARRETT of Tennessee. I yield to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Any investigation that has to be conducted in this matter has to take in three departments, the War Depart-

ment, the Post Office Department, and the transportation department in France. Now, the sole question in my mind is, which committee has full powers to conduct such an investigation, as there are 37,000 bags of mail over there at one of the ports, belonging to the American troops, undistributed at the present time.

Mr. GARRETT of Tennessee. If the gentleman will permit, we really have not reached that stage yet. The gentleman from Colorado [Mr. KEATING] stated that such hearings as have been had were wholly for the purpose of determining whether this resolution should be reported to the House, if I understood the gentleman correctly.

Mr. KEATING. The gentleman is correct.

Mr. GARRETT of Tennessee. We have not reached that stage of investigation as yet, except on the question of whether the resolution should be reported to the House and acted upon by the House.

Mr. KEATING. If there was a state of affairs that would justify it.

Mr. GARRETT of Tennessee. And that being the case, I submit to the gentleman from Colorado [Mr. KEATING] and the gentleman from Georgia [Mr. BELL], in the interests of orderly procedure it ought to go to the Committee on Rules.

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Will the gentleman from Tennessee yield?

Mr. GARRETT of Tennessee. I will.

Mr. MADDEN. A parliamentary inquiry. I wish to ask the Chair if it would be possible, under the existing conditions, the Committee on the Post Office and Post Roads having directed the gentleman from Georgia [Mr. BELL] to move to transfer this bill to the Committee on the Post Office and Post Roads, for him to move to send the resolution to the Committee on Rules?

The SPEAKER pro tempore. The opinion of the Chair is that it would not be in order unless the chairman of the committee would authorize him to move that it go to the Committee on Rules.

Mr. SAUNDERS of Virginia. As it can not be amended on the floor, the gentleman can not ask for another reference. He could ask unanimous consent, if desired, to have it referred to the Committee on the Post Office and Post Roads.

The SPEAKER pro tempore. That is correct. The gentleman from Georgia [Mr. BELL] could withdraw his motion, and if to-morrow morning the committee offered a resolution to refer it, they could refer it there.

The time of the gentleman from Tennessee [Mr. GARRETT] has expired. The gentleman from Georgia [Mr. BELL] is recognized for one minute.

Mr. BELL. Mr. Speaker, I can not tell whether or not this resolution should be referred to the Committee on Rules. But it is very clear and evident to my mind that it does not belong to the Committee on Expenditures in the Post Office Department. There is but one portion of this resolution that the Committee on Expenditures in the Post Office Department has any jurisdiction over whatever, and that is the first paragraph. This is a sweeping resolution, and it empowers the Committee on Expenditures in the Post Office Department to investigate the conduct and the administration of affairs of the Post Office Department in domestic and foreign mails. This they have no jurisdiction over whatever. It has been intimated, so I am informed, and I believe said—

Mr. KEATING. Mr. Speaker, will the gentleman yield for a question?

Mr. BELL. Yes.

Mr. KEATING. If the gentleman were a member of the Committee on Expenditures in the Post Office Department how would he proceed to investigate the expenditures in the foreign mail service that he has referred to without finding out how the money was expended?

Mr. BELL. I would go to the Post Office Department for the information.

Mr. KEATING. That is what the Committee on Expenditures in the Post Office Department has done. That is all that it has done.

Mr. BELL. It is further stated that the Committee on the Post Office and Post Roads would not make the investigation. We resent that. We would, but we would not until the resolution is referred to our committee. When that is done we will make an investigation. I think we have jurisdiction over it.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, pending the putting of the motion, I ask unanimous consent that this resolution be referred to the Committee on Rules.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the resolution be referred to the Committee on Rules. Is there objection?

Mr. KEATING. I object.

The SPEAKER pro tempore. The gentleman from Colorado objects. The question is on agreeing to the motion made by the gentleman from Georgia [Mr. BELL].

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. KEATING. A division, Mr. Speaker.

The SPEAKER pro tempore. A division is demanded.

The House divided; and there were—ayes 69, noes 91.

Mr. BELL. I ask for tellers, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Georgia asks for tellers.

Mr. MADDEN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Illinois asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. The Clerk will call the roll. Those who favor the motion of the gentleman from Georgia will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 156, nays 151, answered "present" 9, not voting 114, as follows:

YEAS—156.

Alexander	Donovan	Iazaro	Saunders, Va.
Almon	Doolittle	Lea, Cal.	Schall
Ashbrook	Doremus	Lee, Ga.	Sears
Aswell	Doughton	Leshner	Shallenberger
Ayres	Drane	Linthicum	Sherley
Bankhead	Eagle	Loung	Sisson
Barkley	Edmonds	McAndrews	Slayden
Beakes	Evans	McKenzie	Small
Bell	Fisher	McKeown	Smith, C. B.
Black	Flood	McLemore	Smith, T. F.
Blackmon	Foster	Madden	Snook
Blanton	Fuller, Mass.	Maher	Stegall
Borland	Gallivan	Mansfield	Stedman
Brand	Gandy	Montague	Steele
Britten	Garner	Moon	Steenerson
Brodbeck	Garrett, Tex.	Nicholls, S. C.	Stephens, Miss.
Brumbaugh	Glass	Oldfield	Sterling, Ill.
Byrnes, S. C.	Goodwin, Ark.	Oliver, Ala.	Sterling, Pa.
Byrns, Tenn.	Gordon	Oliver, N. Y.	Stevenson
Candler, Miss.	Graham, Ill.	Olney	Tague
Cannon	Griffin	O'Shaunessy	Taylor, Ark.
Caraway	Hardy	Overstreet	Thomas
Carlin	Hayden	Padgett	Tillman
Carter, Okla.	Heaton	Paige	Vinson
Claypool	Helm	Park	Walker
Cleary	Helvering	Phelan	Walsh
Coady	Hensley	Quin	Watkins
Collier	Holland	Ragsdale	Watson, Va.
Connally, Tex.	Houston	Rainey, J. W.	Weaver
Cox	Hull, Iowa	Ramseyer	Welling
Crisp	Hull, Tenn.	Randall	Welty
Decker	Igoe	Rayburn	Whaley
Delaney	Ireland	Riordan	Williams
Dent	Johnson, Ky.	Robinson	Wilson III.
Denton	Juul	Romjue	Wilson, La.
Dickinson	Kehoe	Rouse	Wilson, Tex.
Dies	Key, Ohio	Rubey	Wise
Dixon	Kincheloe	Russell	Wright
Dominick	Larsen	Sabath	Young, Tex.

NAYS—151.

Anderson	Fess	Kinkaid	Reed
Anthony	Focht	Knutson	Robbins
Bacharach	Fordney	Kraus	Roberts
Baer	Francis	La Follette	Rogers
Bland	Frear	Langley	Rose
Booher	Freeman	Lehlbach	Rowe
Bowers	French	Little	Sanders, Ind.
Browne	Fuller, Ill.	Lobeck	Sanders, N. Y.
Burroughs	Garland	London	Sanford
Butler	Gillett	Longworth	Scott, Mich.
Campbell, Kans.	Glynn	Lufkin	Sherwood
Carter, Mass.	Good	Lundeen	Siegel
Cary	Goodall	McArthur	Sinnott
Chandler, Okla.	Gould	McClulloch	Sloan
Church	Green, Iowa	McKinley	Smith, Idaho
Clason	Greene, Mass.	McLaughlin, Mich.	Smith, Mich.
Connelly, Kans.	Greene, Vt.	Magee	Stafford
Cooper, Wis.	Hadley	Mapes	Stines
Crago	Hamilton, Mich.	Mays	Sweet
Cramton	Hamilin	Merritt	Temple
Crosser	Haskell	Miller, Minn.	Timberlake
Currie, Mich.	Hastings	Miller, Wash.	Treadway
Dallinger	Haugen	Moores, Ind.	Van Dyke
Darrow	Hawley	Morgan	Vestal
Davidson	Hayes	Morin	Voigt
Davis	Hersey	Mott	Volstead
Dill	Hilliard	Mudd	Waldow
Dillon	Hollingsworth	Neely	Walton
Dowell	Huddleston	Nolan	Ward
Dunn	Humphreys	Osborne	Wason
Elliott	Hutchinson	Overmyer	Wheeler
Ellsworth	Johnson, Wash.	Parker, N. Y.	White, Me.
Emerson	Kahn	Peters	White, Ohio
Esch	Keating	Pratt	Winslow
Fairchild, B. L.	Kelly, Pa.	Purnell	Woods, Iowa
Fairchild, G. W.	Kennedy, Iowa	Raker	Woodyard
Fairfield	Kennedy, R. I.	Ramsey	Young, N. Dak.
Farr	Kless, Pa.	Reavis	

ANSWERED "PRESENT"—9.

Barnhart	Fields	Moore, Pa.	Rodenberg
Browning	Garrett, Tenn.	Pou	Wingo
Cantrill			

NOT VOTING—114.

Austin	Foss	LaGuardia	Scully
Beshlin	Gallagher	Lever	Sells
Buchanan	Gard	Littlepage	Shackelford
Burnett	Godwin, N. C.	Lunn	Shouse
Caldwell	Graham, Pa.	McClintic	Sims
Campbell, Pa.	Gray, Ala.	McCormick	Slomp
Carew	Gray, N. J.	McFadden	Snell
Chandler, N. Y.	Griegg	McLaughlin, Pa.	Snyder
Clark, Fla.	Griest	Mann	Stephens, Nebr.
Clark, Pa.	Hamill	Martin	Strong
Cooper, Ohio	Hamilton, N. Y.	Mason	Sullivan
Cooper, W. Va.	Harrison, Miss.	Meeker	Sumners
Copley	Harrison, Va.	Mondell	Swift
Costello	Heflin	Nelson	Switzer
Curry, Cal.	Heintz	Nichols, Mich.	Talbott
Dale, N. Y.	Hicks	Norton	Taylor, Colo.
Dale, Vt.	Hood	Parker, N. J.	Templeton
Dempsey	Howard	Platt	Thompson
Denison	Husted	Polk	Tilson
Dewalt	Jacoway	Porter	Tinkham
Dooling	James	Powers	Towner
Drukker	Johnson, S. Dak.	Price	Vare
Dupré	Jones	Rainey, H. T.	Venable
Dyer	Kearns	Rankin	Watson, Pa.
Eagan	Kelley, Mich.	Rowland	Webb
Elston	Kettner	Rucker	Wood, Ind.
Estopinal	King	Sanders, La.	Zihlman
Ferris	Kitchin	Scott, Iowa	
Flynn	Kreider	Scott, Pa.	

So the motion of Mr. BELL was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. JONES with Mr. HAMILTON of New York.

Mr. KETTNER with Mr. KEARNS.

Mr. MCCLINTIC with Mr. HUSTED.

Mr. POLK with Mr. KING.

Mr. HARRISON of Mississippi with Mr. JOHNSON of South Dakota.

Mr. HOWARD with Mr. MCFADDEN.

Mr. LEVER with Mr. HICKS.

Mr. PRICE with Mr. KELLEY of Michigan.

Mr. HOOD with Mr. KREIDER.

Mr. MARTIN with Mr. WOOD of Indiana.

Mr. HENRY T. RAINEY with Mr. MASON.

Mr. HARRISON of Virginia with Mr. PLATT.

Mr. RUCKER with Miss RANKIN.

Mr. KITCHIN with Mr. MANX.

Mr. SHACKLEFORD with Mr. ROWLAND.

Mr. SHOUSE with Mr. SNELL.

Mr. SIMS with Mr. MEEKER.

Mr. STEPHENS of Nebraska with Mr. STRONG.

Mr. SULLIVAN with Mr. SWIFT.

Mr. SUMNERS with Mr. MONDELL.

Mr. TAYLOR of Colorado with Mr. SWITZER.

Mr. THOMPSON with Mr. TILSON.

Mr. VENABLE with Mr. TOWNER.

Mr. WEBB with Mr. TINKHAM.

Mr. JACOWAY with Mr. ZIHLMAN.

Mr. SANDERS of Louisiana with Mr. RODENBERG.

Mr. GALLAGHER with Mr. NORTON.

Mr. BESHLIN with Mr. McLAUGHLIN of Pennsylvania.

Mr. TALBOTT with Mr. BROWNING.

Mr. DALE of New York with Mr. DALE of Vermont.

Mr. LUNN with Mr. NICHOLS of Michigan.

Mr. GRAY of Alabama with Mr. WATSON of Pennsylvania.

Mr. LITTLEPAGE with Mr. JAMES.

Mr. SCULLY with Mr. PORTER.

Mr. DUPRE with Mr. SNYDER.

Mr. BUCHANAN with Mr. CLARK of Pennsylvania.

Mr. CAREW with Mr. COPLEY.

Mr. DEWALT with Mr. CHANDLER of New York.

Mr. FLYNN with Mr. DRUKKER.

Mr. BURNETT with Mr. DEMPSEY.

Mr. DOOLING with Mr. AUSTIN.

Mr. CLARK of Florida with Mr. DENISON.

Mr. FERRIS with Mr. COOPER of Ohio.

Mr. CALDWELL with Mr. COSTELLO.

Mr. EAGAN with Mr. DYER.

Mr. GARD with Mr. ELSTON.

Mr. GODWIN of North Carolina with Mr. COOPER of West Virginia.

Mr. CAMPBELL of Pennsylvania with Mr. FOSS.

Mr. ESTOPINAL with Mr. GRAHAM of Pennsylvania.

Mr. GREGG with Mr. GRAY of New Jersey.

Mr. HAMILL with Mr. GRIEST.

Mr. MASON. Mr. Speaker, I desire to vote.

The SPEAKER pro tempore. Was the gentleman in the Hall listening when his name should have been called?

Mr. MASON. I am not absolutely sure whether I was or not. I did not hear my name called.

The SPEAKER pro tempore. The gentleman does not bring himself within the rule.

Mr. FERRIS. Mr. Speaker, I desire to vote. I am not sure that I can bring myself within the rule. I was behind the railing and had just come in.

The SPEAKER pro tempore. The gentleman does not bring himself within the rule.

Mr. HEFLIN. Mr. Speaker, was this a call of the House or just a roll call?

The SPEAKER pro tempore. A yea-and-nay vote.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. This resolution goes to the Committee on the Post Office and Post Roads.

On motion of Mr. SAUNDERS of Virginia, a motion to reconsider the vote by which the motion was agreed to was laid on the table.

HERVEY E. DAMERON (H. REPT. NO. 518).

Mr. PARK. Mr. Speaker, I desire to present a privileged resolution from the Committee on Accounts.

The SPEAKER pro tempore. The gentleman from Georgia offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 321.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Hervey E. Dameron, clerk to WILLIAM A. JONES, a Representative from the State of Virginia at the time of his death, April 17, 1918, the sum of \$166.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

Mr. PARK. Mr. Speaker, this is the usual resolution.

The resolution was agreed to.

BERT W. KENNEDY AND FRANK W. COLLIER (H. REPT. NO. 519).

Mr. PARK. Mr. Speaker, I offer another privileged resolution from the Committee on Accounts.

The SPEAKER pro tempore. The gentleman from Georgia offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 315.

Resolved, That the salaries of the messengers to the minority, Bert W. Kennedy and Frank W. Collier, be increased to \$1,800 each: *Provided*, That the said increase be paid out of the contingent fund of the House of Representatives until otherwise provided by law.

Mr. PARK. Mr. Speaker, there are four of these messengers who do the same service, two of whom draw \$1,800, and this is to equalize the pay of the others.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. WALSH. We could not hear what the gentleman from Georgia said.

Mr. PARK. I stated that there are four of these men who perform similar service, two of whom get \$1,800 and the others \$1,500. This resolution is to equalize their pay.

Mr. STAFFORD. Mr. Speaker, if the gentleman will yield, I will say that we are all acquainted with the worthy gentlemen, Messrs. Kennedy and Collier, whose salaries this resolution seeks to increase. I wish to inquire whether the committee has made any investigation as to whether this will occasion an increase of the salaries of other employees performing similar duties?

Mr. PARK. Nothing like that has been discussed in the committee, and I know of nothing of that kind.

Mr. STAFFORD. For instance, there is on the Republican side Mr. Chaffee, who has charge of the telephone booths, and who is engaged from before the House convenes until its close in very exacting service. He receives a salary of \$1,500. There are other employees of the House, perhaps on the Democratic side, who perform like service, who are receiving \$1,500. I wish to inquire whether the Committee on Accounts have considered any general raise of the salaries of the employees of the House?

Mr. PARK. No; we are not considering any.

Mr. STAFFORD. And whether this will be used as a precedent to increase the salaries of other employees of the House?

Mr. PARK. We only consider those matters when they are introduced in the regular way and referred to the committee through the regular channel. The committee has not discussed or considered anything of the kind indicated by the gentleman.

Mr. STAFFORD. Does not the gentleman recognize the need of increasing the salaries of other employees of the House if we are going to increase the salaries of some?

Mr. PARK. We will consider that when we come to it.

Mr. STAFFORD. The committee has not considered it up to the present time?

Mr. PARK. It has not been called to our attention.

Mr. FORDNEY. Mr. Speaker, I wish to say that on our side of the House there are five men, three of whom receive \$1,800. The other two receive \$1,500. They do practically the same work.

Mr. STAFFORD. I am now pointing out another gentleman who does even more exacting work. That is the telephone page, Mr. Chaffee, who receives \$1,500.

Mr. FORDNEY. I have no objection to increasing his salary, but I am speaking now of these two men, who are old employees. I have no objection to anyone having a raise who is entitled to it. I know of no reason why these two men should not have it.

Mr. STAFFORD. The purpose of my inquiry is to ascertain whether the committee have made any investigation as to general increases of the salaries of House employees, or whether they are just singling out a few worthy employees for increases.

Mr. PARK. I have answered the gentleman three or four times. The matter has not been called to the attention of the committee, and, so far as I know, has not been called to the attention of any member of the committee. We are simply seeking to do for that side what was done for this side.

Mr. STAFFORD. Then, as I understand the chairman of the committee, the majority employees performing the same service are receiving \$1,800, and it is now proposed to give these minority employees the same amount?

Mr. PARK. The gentleman is correct.

Mr. KITCHIN. One of the gentlemen who has been mentioned by the gentleman from Wisconsin had his salary increased from \$1,200 to \$1,500 in the last session.

Mr. STAFFORD. I am quite aware of that fact; but I am also quite well aware of the fact that the gentleman who is performing even more exacting duties than the gentlemen whose salaries have been advanced is receiving only \$1,500.

Mr. FERRIS. Mr. Speaker, this resolution raises the salaries of what two employees?

Mr. PARK. Mr. Kennedy and Mr. Collier.

Mr. FERRIS. I know Mr. Kennedy, but I do not know Mr. Collier.

Mr. FORDNEY. The gentleman does not know him by name, but he sees him here every day. I introduced this resolution. I knew nothing about the other employees. The committee acted upon the resolution at my request. I asked for only two raises. I have no objection to others, of course.

Mr. FERRIS. I wanted to inquire of the chairman of the committee if there has been any effort to equalize the salaries of the assistant clerks to committees?

Mr. PARK. That matter has not been considered by the committee.

Mr. FERRIS. For example, the assistant clerk to my committee, which is a busy committee, only gets \$1,200. You can not hold an assistant clerk any longer at that salary. I have used the salary, giving half to a messenger and half to another clerk in order to get along. I find that almost all of the other assistant clerks are getting \$1,500 to \$1,800. I am not complaining, but it seems to me that some time the salaries of these clerks ought to be equalized so that the assistant clerks will get the same pay. I wondered if the gentleman had given any attention to this class of employees.

Mr. PARK. No; it has not been called to the attention of the committee.

The resolution was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL (H. REPT. NO. 515).

Mr. SISSON, from the Committee on Appropriations, by direction of that committee, reported a bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, which was read a first and second time and with accompanying papers referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. STAFFORD reserved all points of order on the bill.

THE REGISTRATION FOR MILITARY SERVICE.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the present consideration of S. J. Res. 124, providing for the registration of young men who have become 21 since the 5th day of June, 1917.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent for the present consideration of S. J. Res. 124, of which the Clerk will read the title.

The Clerk read as follows:

Joint resolution (S. J. Res. 124) providing for the registration for military service of all male persons citizens of the United States or residing in the United States who have, since the 5th day of June, 1917, and on or before the day set for the registration by proclamation by the President, attained the age of 21 years, in accordance with such rules and regulations as the President may prescribe under the terms of

the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States."

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Reserving the right to object, may I ask the chairman of the Committee on Military Affairs if it is absolutely necessary that this legislation should be brought about now in order to supply an army of the United States?

Mr. DENT. I will state to the gentleman that that is the opinion of the War Department. They expect to have this registration on the 5th of June, the anniversary of the first draft, and unless this bill becomes a law shortly the machinery can not be put into operation.

Mr. FOSTER. I asked that question for the reason that by a special rule we have a bill which I am very desirous of having disposed of at the earliest date possible. Of course, if the War Department says that in order to secure this army it is necessary for this legislation to be passed now, I shall be obliged to give way.

Mr. DENT. I will state further that if there is no objection to the present consideration of this resolution, I propose to submit another request which will limit debate to two hours, and that is agreed to by the gentleman from California [Mr. KAHN].

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I understand that as soon as this is disposed of it will be in order to take up the other matter which I referred to.

The SPEAKER pro tempore. That is the present opinion of the occupant of the chair.

Mr. FOSTER. With the statement of the gentleman from Alabama that the War Department believes that this legislation is necessary to secure an army, I shall not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Mr. Chairman, I ask unanimous consent that debate on this resolution be limited to two hours, one half to be controlled by the gentleman from California [Mr. KAHN] and the other half by myself; that during the debate such amendments may be offered as any Member desires; and that at the expiration of two hours of debate the previous question shall be considered as ordered on the bill and all pending amendments to final passage.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that general debate on this resolution be limited to two hours, one half to be controlled by the gentleman from California [Mr. KAHN] and the other half by himself, and that during the general debate amendments may be offered, and at the end of that time the previous question shall be considered as ordered on the bill and all amendments to final passage. Is there objection?

Mr. CANNON. Mr. Speaker, reserving the right to object, I do not know what amendments may be offered, and I have no objection to having a vote at the end of two hours' debate on the bill. As I say, I have no information of what amendments may be offered, but an amendment might be offered that should be debated under the five-minute rule. Is the gentleman aware as to whether amendments will be offered?

Mr. DENT. I only know of two amendments that are likely to be offered outside of the committee amendments. One relates to the action of the Military Committee of the House in striking out that part of the Senate resolution which exempts divinity and medical students, and the other is an amendment which was offered in the committee, which is not a part of the resolution, providing that those who are registered under this resolution shall go to the foot of the list.

Mr. DOWELL. I did not hear what the gentleman said the first one was.

Mr. DENT. The first one relates to the action of the House in striking out the exemption of divinity and medical students.

Mr. CANNON. That has not been enacted.

Mr. DENT. No; but the gentleman asked me what amendments I thought would be offered.

Mr. CANNON. That is a subject for consideration in Committee of the Whole.

Mr. DENT. This bill is on the House Calendar.

Mr. CANNON. The gentleman can move the previous question at any time. These amendments might give rise to debate where a number of Members would want a little time.

Mr. DENT. If we can have a general understanding in regard to it, I do not believe that the debate is going to last two hours. There is no member of the committee on the Democratic side who has asked me for any time, and I know of nobody that wants any, except on one amendment. I do not know that the debate will last two hours, but if anything should happen by which any amendment is offered, or anything that should develop

that is not now anticipated, there will be no difficulty in extending the time.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 124) providing for the registration for military service of all male persons citizens of the United States or residing in the United States who have, since the 5th day of June, 1917, and on or before the day set for the registration by proclamation by the President, attained the age of 21 years, in accordance with such rules and regulations as the President may prescribe under the terms of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States."

Resolved, etc., That all male persons, citizens of the United States or residing in the United States, who have, since the 5th day of June, 1917, and on or before the day set for the registration by proclamation by the President, attained the age of 21 years, shall be subject to registration in accordance with regulations to be prescribed by the President, and that upon proclamation by the President, stating the time and place of such registration, it shall be the duty of all such persons, except such persons as in said proclamation may be exempted from registration, to present themselves for and submit to registration under the provisions of the act approved May 18, 1917, and they shall be registered in the same manner and subject to the same requirements and liabilities as those previously registered under the terms of said act.

Sec. 2. That after the day set under section 1 hereof for the registration by proclamation by the President at such intervals as the President may from time to time prescribe, the President may require that all male persons, citizens of the United States or residing in the United States, who have attained the age of 21 years since the last preceding date of registration, and on or before the next day set for the registration by proclamation by the President, except such persons as in the proclamation by the President stating the time and place of such registration may be exempted from registration, shall be registered in the same manner and subject to the same requirements and liabilities as those previously registered under the terms of said act: *Provided*, That students who are preparing for the ministry in recognized theological or divinity schools, and students who are preparing for the practice of medicine and surgery in recognized medical schools, at the time of the approval of this act shall be exempt from the selective draft prescribed in the act of May 18, 1917; and that students entering such theological or divinity schools after the approval of this act and during the continuance of the war, and who would be subject to any future registration as provided for in this act, may upon the recommendation or request of the president or dean of such school be exempt from the selective draft by order of the President.

Sec. 3. That all such persons when registered shall be liable to military service and to draft under the terms of said act approved May 18, 1917, under such regulations as the President may prescribe not inconsistent with the terms of said act.

Sec. 4. That all such persons shall be subject to the terms and provisions and liabilities of said act approved May 18, 1917, in all respects as if they had been registered under the terms of said act, and every such person shall be deemed to have notice of the requirements of said act and of this joint resolution upon the publication of any such proclamation by the President.

With the following committee amendments:

Page 1, line 4, after the word "States," strike out the word "or" and insert the words "and all male persons."

Page 2, lines 7 and 8, strike out the words "in said proclamation may be exempted from registration" and insert the words "are exempt from registration under the act of May 18, 1917, and any act or acts amendatory thereof."

Page 2, line 12, strike out the word "the" where it occurs the second time in the line and insert the word "said."

Page 2, line 21, after the word "States," strike out the word "or" and insert the words "and all male persons."

Page 2, line 25, and page 3, lines 1 and 2, strike out the words "in the proclamation by the President stating the time and place of such registration may be exempted from registration" and insert the words "are exempt from registration under the act of May 18, 1917, and any act or acts amendatory thereof."

Page 3, line 7, after the word "act," strike out the remainder of the section.

Mr. DENT. Mr. Speaker, I think this resolution is so well understood by the House that a very brief statement of it only is necessary. It provides, in short, that there shall be registered and subject to the draft all young men arriving at the age of 21 years since the 5th day of July of last year, and automatically each year during the present emergency. The House Committee on Military Affairs amended the resolution as passed by the Senate by limiting its provisions to the present emergency, so that it will be perfectly manifest that it is war legislation and intended only for this emergency. The second amendment proposed by the Committee on Military Affairs of the House, striking out the word "or" in line 4 and inserting the words "and all male persons," was intended manifestly, as appears upon its face, to get a registration, although not liable to military service, of all persons, including aliens, in the country within this age, which would not have been done under the resolution as passed by the Senate. The next amendment on page 2 changes the language in the resolution as passed by the Senate. The language of the resolution as passed by the Senate exempts from the registration such persons as in said proclamation of the President may be exempted from registration. I do not know and the committee did not know whether or not that was intended to enlarge the power of the President to add to those exempted from registration, but the Committee thought that the language should be more

specific and clear and provide for the exemption of those who were exempted from registration under the original draft, and such is the effect of that amendment. The only other amendment is the amendment striking out the proviso exempting theological and medical students from registration.

Mr. HAMILTON of Michigan. Mr. Speaker, will the gentleman state who were exempted under the original act?

Mr. DENT. The Vice President of the United States, the officers, legislative, executive, and judicial, of the United States and of the several States and Territories and the District of Columbia, regularly or duly ordained ministers of religion, students who at the time of the approval of the act were preparing for the ministry in recognized theological or divinity schools, and all persons in the military and naval service of the United States.

Mr. HAMILTON of Michigan. And the committee restricted the exemption list which is given to the President to the original list?

Mr. DENT. Yes. Mr. Speaker, I reserve the remainder of my time.

Mr. KAHN. Mr. Speaker, in view of the very clear statement made by the chairman of the committee, I do not desire to take up any of the time of the House at this time, but I yield 10 minutes to the gentleman from Pennsylvania [Mr. DARROW].

Mr. DARROW. Mr. Speaker, I send to the Clerk's desk a statement from the Philadelphia Chamber of Commerce, which I ask to have read in my time.

The SPEAKER pro tempore. Without objection the Clerk will read.

There was no objection.

The Clerk read as follows:

The war shipping committee of the Philadelphia Chamber of Commerce, in the face of the present necessity for proper housing of workmen at Hog Island made manifest by the action of the Emergency Fleet Corporation in commandeering homes in West Philadelphia, wish to call the attention of the citizens of Philadelphia and their Congressmen, as well as the officers of the Emergency Fleet Corporation, to the great need of pushing forward in some form the project of building houses in the available districts of West and South Philadelphia.

The building season is now at hand, and the work should be commenced promptly in order that the houses should be available at the earliest possible date.

Mr. DARROW. Mr. Speaker, a situation has recently arisen in Philadelphia of sufficient importance, I feel, to engage the attention of the House. It involves an unfortunate and congested condition, due to efforts to house our new shipyard employees. Last week several hundred citizens of the section of Philadelphia known as West Philadelphia met in Liberty Hall to discuss ways and means to prevent real estate speculators from depriving the tenants in that locality of their homes. I may say that this locality is adjacent to the Hog Island Shipyard, and near those other great war industrial plants such as the Baldwin Locomotive Works, the Remington Arms Co., the Westinghouse, and numerous others, and the demand for houses there has become extreme.

Following that meeting hundreds of protests have come to me as the Representative of that district saying that the writers had been ordered to either buy these houses or vacate. A certain number of days have been given for the tenants to purchase or get out. On Monday last I joined a delegation of these people and met the United States district attorney, Mr. Kane, in the Federal building. We found in the list of those who are being evicted many Government employees, men who are working at the Hog Island plant, men who are working on the railroads, letter carriers, and families dependent upon husbands, sons, or brothers who are in the service. There was one particularly pathetic case in this list among many others. This was the case of a woman who has three sons, upon whom she was entirely dependent. One of the sons is with the Army in France, another is in the draft, and the third one is in the hospital. This woman was notified that within so many days she must either purchase the house in which she lives or get out on the street. I told her to absolutely ignore the notice, no matter from what source it came, as she was protected by the soldiers' and sailors' civil rights law, and that advice was confirmed by the United States district attorney.

Now, the proposition, it seems to me, is this: Owing to the vast number of people coming into this section to work in the various Government plants there are not houses enough to take care of them, and real estate men, who are willing to trade upon the necessities of the people, have evidently been taking advantage of this situation. It would seem from these hundreds of communications, which set forth the complaints of the citizens, that real estate operators to a certain extent have agreed among themselves to turn these people out in order that they may sell these houses at increased prices or secure a higher rental. I felt as if this was only a profiteering conspiracy on

the part of real estate operators, but it now seems to have developed into a commandeering proposition on the part of the Emergency Fleet Corporation.

This morning I called upon Mr. Hurley, president of the Shipping Board, and he tells me that they have commandeered 500 houses in that locality; that it is not their purpose to take houses that are occupied, but only to take houses in the course of erection and those that are vacant. But I must confess I can not fully see the difference between compelling or having some one else to cause these people to vacate these houses, whether done directly or indirectly by the Emergency Fleet Corporation. These people are a patriotic people. They have, as far as their limited means would permit, subscribed to the liberty bonds, and they have been told that if they can buy liberty bonds they can buy houses. It is impossible, however, with the limited amount of money that they can save to purchase houses. They may not, and some of them are not, able to meet these terms, but they can and do buy \$50 or \$100 bonds, as I know from many cases that have come to my attention. I do not wish to criticize the Shipping Board; in fact, I have been one who has on all occasions commended their work, especially in the Hog Island plant. The amount of work they have done there under adverse circumstances is almost beyond the belief of man, and the great progress made so overreaches and overlaps the mistakes and extravagance they have made that it is entitled to our commendation and not to our condemnation. But in this matter I can not help but feel that an error has been made. The board was given an opportunity to erect houses, and I think that is the only solution—

Mr. MOORE of Pennsylvania. Will my colleague yield?

Mr. DARROW. I will.

Mr. MOORE of Pennsylvania. What has become of the housing proposition itself?

Mr. DARROW. The authority has been given, and I think that this is one of the points where it was recognized to be needed more than any other. I think for some unforeseen reason the housing program has been, temporarily at least, set aside and that they have not proceeded along that line.

Mr. MOORE of Pennsylvania. The gentleman has been a patriotic Member of the House, and I know he has been a defender of the purposes of the Shipping Board and would not make a complaint unless he felt warranted in doing it. May I ask the gentleman if it is not true that the Emergency Fleet Corporation, or at least the American International Corporation, started this housing business, so far as planning is concerned, at least three months ago, but has not produced any houses up to date?

Mr. DARROW. I think the gentleman is quite correct.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DARROW. May I have two or three minutes more?

Mr. KAHN. I yield two minutes additional to the gentleman.

Mr. DARROW. Mr. Speaker, I would like to send this editorial from one of our newspapers to the desk and have it read.

Mr. MOORE of Pennsylvania. Will the gentleman yield at that point for one more question?

Mr. DARROW. I will.

Mr. MOORE of Pennsylvania. This is a matter of such grave importance in connection with the general housing plan I think it ought to be clearly understood. The Shipping Board has had the power to go ahead with the housing for some time. The law was enacted and, I think, went into effect the 1st of March, giving power to commandeer or construct, and so forth; yet nothing has been done in the matter of house construction up to the present time. As a matter of fact, building plans have been changed, and transportation arrangements have been negotiated with a view of using houses already occupied rather than to construct new ones. That is the fact.

Mr. DARROW. So I understand.

Mr. MOORE of Pennsylvania. Does the gentleman know whether or not the Shipping Board has abandoned its plans of erecting houses near by the yard?

Mr. DARROW. I understand the Shipping Board decided or gave out yesterday or to-day that they would probably go ahead now and build some houses.

Mr. MOORE of Pennsylvania. Some additional houses? And meanwhile the fact is that the occupants of the houses in West Philadelphia, some of whose sons are already in the public service or in France, and some of whom are already doing war work for the Government, are facing eviction.

Mr. DARROW. That is true.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. DARROW. May I have five minutes additional?

Mr. KAHN. I yield the gentleman five minutes additional.

Mr. DARROW. I would ask that the editorial be read. It is from the Philadelphia Inquirer of yesterday.

The SPEAKER pro tempore. The editorial will be read in the time of the gentleman.

The Clerk read as follows:

SEIZING HOUSES FOR HOG ISLAND WORKERS.

For months the Emergency Fleet Corporation amused itself by drawing plans for the erection of houses for Hog Island workers. Tired of its game, it now seizes houses over the heads of tenants and turns them into the streets to hunt for other houses which have no existence.

It is a serious matter, this eviction, and wholly without justification, since dwellings could and should have been erected by wholesale long ago. The resort to it is but another evidence of the incompetency that has stamped itself all over the Emergency Fleet Corporation and the Federal Shipping Board from the start.

Building operations have practically ceased in this city, and the demand for dwellings far outruns the supply. Only the Government can build. Only the Government can command the materials and the labor. It should have attended to the needs of Hog Island by constructive methods. Instead, the Emergency Fleet Corporation has played with red tape and wasted weeks upon weeks of valuable time, only to deprive numerous families of the roofs that have sheltered them.

Surely it was high time that Mr. Schwab was brought in to build ships. It is a pity that he was not brought in long ago and given authority to build houses as well.

Mr. DARROW. Mr. Speaker, I only have introduced this editorial to show the situation there, not that I approve of all the criticisms made, though I do think that paper has the reputation of being conservative and not given to extreme statements; but the people are aroused, and I felt that it was time something was done to relieve the situation and begin the construction of houses that have been authorized by Congress.

Mr. FESS. Will my friend yield?

Mr. DARROW. I will.

Mr. FESS. In the statement that the gentleman does not approve of all that the editorial states, the gentleman does, however, approve of the statement that the country will have confidence now of what the Shipbuilding Corporation will do under the leadership of Mr. Schwab.

Mr. DARROW. Absolutely; not that they may not have had that confidence before, but they will feel doubly secure now. [Applause.]

Mr. FESS. I think so.

Mr. DARROW. I yield back the remainder of my time to the gentleman from California.

Mr. KAHN. Mr. Speaker, how much time does the gentleman yield back?

The SPEAKER pro tempore. The gentleman used four minutes.

Mr. KAHN. Will the gentleman from Alabama [Mr. DENT], the chairman of the committee, now use some of his time?

Mr. DENT. I will say that I do not know as anyone on this side desires time. If the gentleman from Kentucky [Mr. FIELDS] desires time, I will yield to him.

Mr. ROBBINS. Mr. Speaker, I want to ask a question of one of these gentlemen in charge of this bill. First, how many men will this bill furnish?

Mr. KAHN. It is estimated there will be between 700,000 and 1,000,000 men who will be registered under the bill.

Mr. DENT. Annually.

Mr. ROBBINS. It is stated here in the letter appended to the committee report, signed by the Secretary of War, that this new classification plan of the War Department will segregate in class 1 those registrants who can serve the Nation with the least possible disturbance of the economic conditions. Is it the intention to classify in class 1 all of these young men who have attained the age of 21 since the registration day under the selective-draft law?

Mr. KAHN. They will all be given the questionnaires, and they will fill them out as the registrants have done heretofore. Then the local boards will classify them accordingly.

Mr. ROBBINS. They will be classified under the act of May 18, 1917—known as the general draft law?

Mr. KAHN. No. They will be classified in accordance with the bill that was passed here the other day, the quota bill. They will be given questionnaires, just as the registrants under the first registration law were given them, and according to their answers to the questionnaires they will be classified.

Mr. FESS. Will the gentleman yield for a question?

Mr. KAHN. Yes; I will yield.

Mr. FESS. Under this bill, if the annual increment to the Army would be from 700,000 to 1,000,000, after all exemptions are taken, what is the estimate of the increment of actual fighting soldiers?

Mr. KAHN. Well, the War Department, of course, can not give us more than just an estimate. It is probable that we can depend upon 500,000 to 700,000 men ready to go to the colors.

Mr. FESS. If the gentleman will permit, Col. Repington made the statement that Germany could not put in action, with

all exemptions counted out and ascertained, of the age of from 16 to 18, more than 440,000 a year, while Great Britain would put in probably 350,000 and France 250,000, exempting all classes of legal exemption. If that statement were true, and if this army is to be an army of that number, it looks favorable to us.

Mr. KAHN. How true the figures are that come out of Germany I do not know. There was an article in the newspapers the other day to the effect that Germany was just calling out her class of 1918 or 1919, and that 550,000 soldiers were included in that class. Now, those are German soldiers; but the armies of the central powers also include the soldiers of Austria, Turkey, and Bulgaria. How many soldiers these countries will be able to furnish every year I do not know. The 550,000 referred to in the dispatches are Germans, so that I take it the central powers will be able to furnish a great many more than 400,000 soldiers a year.

Mr. FESS. Would the 550,000 count out exemptions?

Mr. KAHN. Oh, yes.

Mr. FESS. You mean 550,000 fighting men?

Mr. KAHN. According to the cablegrams that were printed, it means 550,000 men who have been trained and who are now going into the army—trained men trained under the German system.

Mr. FESS. We certainly can beat Germany on numbers.

Mr. KAHN. There is no doubt but that we are going to beat Germany in every way. [Applause.] But the sooner we begin raising armies to do it the quicker we will be able to do it. [Applause.]

Mr. FESS. I agree with you on that.

Mr. KAHN. Mr. Speaker, I yield to the gentleman from Washington [Mr. JOHNSON].

The SPEAKER pro tempore. The gentleman from Washington is recognized.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to ask the chairman of the Committee on Military Affairs as to the status of Senate bill 3426, the commandeering bill, which, I understand, passed the Senate and was referred to the Committee on Military Affairs.

Mr. DENT. What is the title?

Mr. JOHNSON of Washington. The bill is known as the commandeering bill. Its purpose is the taking over by the Government of sawmills, logging camps, logging lands, and the like. I have a telegram from a prominent logging operator in Hoquiam, Wash., which is the center of the spruce industry and where millions of feet of that stock are being gotten out at breakneck speed for aeroplane stock. He telegraphs that Col. Brice P. Disque, who represents the Government in the United States Signal Corps, with headquarters at Portland, Oreg., and who is in complete charge of the spruce production, is greatly hampered for lack of this commandeering law.

Col. Disque, it seems, needs this law in order to take timber from lands of nonresident owners, for commandeering rights of way and the like, and for the cutting of red tape. When I first heard of that bill, which was introduced by Senator CHAMBERLAIN, I felt there would be opposition in the timber country by the timber owners to its far-reaching powers, but I concluded that if Col. Disque needed such a law I would assist in pressing it as a war necessity. This I am prepared to do in spite of its radical features. It pleases me to learn that such men as the author of this telegram, Mr. Polson, are quick to sink any personal objections and to call for action on the part of the House, inasmuch as the Senate has already acted. Therefore I ask the distinguished gentleman from Alabama about the present status of the bill.

Mr. DENT. I will say to the gentleman that when that bill passed the Senate and came over to the House it was referred to the Committee on Military Affairs, and I took the position that the Committee on Military Affairs did not have jurisdiction of the subject matter. But the Speaker having referred it to us, and nobody seeming to care for it, it was allowed to remain with our committee, but no formal action was taken by the committee, and from the sentiment of the committee I question whether any favorable action will be taken.

Mr. JOHNSON of Washington. I am free to say that I thought that the bill would be found in another committee. I desire to ask the gentleman if the bill has been looked upon as a war necessity, or rather, has it been called for by the War Department?

Mr. DENT. We have had absolutely nothing from the War Department in relation to it at all.

Mr. JOHNSON of Washington. Then I take it that the bill is not likely to come soon to the House Calendar. If, however, the committee sees fit at any time to revive the bill, I shall be glad to present the statements of Mr. Polson and others and

to secure a statement in detail from Col. Disque. Before taking my seat, Mr. Speaker, I should like to say that I believe that all of those in authority at the War Department and elsewhere engaged in pressing the war to a successful conclusion are well informed as to the great speeding-up process that has gone steadily for a solid year in the district which I have the honor to represent. Personal differences have disappeared out there. Personal objections to laws which seem drastic are not made. Red tape is quickly cut. Action is the thing. We are delivering the goods. Aberdeen turned over the first Government contract wooden ship in the United States. Hoquiam has furnished spruce stock faster than it could be used. Tacoma gave the site for the largest cantonment, and built it first, cheapest, and best, and the 10 counties in my district were the first in the State of Washington to report their third liberty-loan quota oversubscribed. [Applause.]

Mr. KAHN. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa [Mr. HULL].

The SPEAKER pro tempore. The gentleman from Iowa is recognized for 10 minutes.

Mr. HULL of Iowa. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. Without objection, the amendment offered by the gentleman will be reported for information.

The Clerk read as follows:

Mr. HULL of Iowa offers the following amendment: Page 2, line 16, after the word "act," insert:

"Provided, That those persons registered under the provisions of this act shall be placed at the bottom of the list of those liable for military service in the several classes to which they are assigned, under such rules and regulations as the President may prescribe."

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WALSH. Is this amendment to be considered as now pending?

The SPEAKER pro tempore. By unanimous consent. That was the understanding.

Mr. WALSH. Well, the Speaker said, "Without objection, it will be reported for information."

The SPEAKER pro tempore. That was an inadvertence.

Mr. HULL of Iowa. Mr. Speaker, I do not think it is necessary to take up very much of your time. This amendment explains itself. It seems to me the only fair way to induct these young men into the service is to place them where they naturally come. Unless you do this and the War Department should adopt a proposed plan of its own, this will happen: In some districts there is quite a list of waiting men who have been selected for six or eight months. Their liability to military service has been fixed. The whole community knows where they come in. They are all anxious to go and ready to go. They have had time to prepare themselves. Now you are going to pass a law to bring some young men into the service. Most of these young men are going to school to-day. They know nothing about what we are doing down here, and on the day of registration or a few days before they come to the age of 21. Of course, they come under the provisions of this act. Now, if the War Department adopts its plan, in your district and in my district some of these young men, by chance, of course, will be placed at the head of the list. He will have to drop his school work and go to war before those who have had their liability to military service fixed for nearly 10 months. This is unfair to the young man, and will be so construed by the people back home.

Mr. WALSH. Mr. Speaker, will the gentleman yield for a question?

Mr. HULL of Iowa. Certainly.

Mr. WALSH. Under this new plan will the liability to service of these young men be determined by drawing out numbered pellets as heretofore?

Mr. HULL of Iowa. Yes. In either case it is only a question as to which plan you take, whether you put these men at the bottom of the list or let them take a chance to come in at the head of the list. I say it is unjust to the men who have already been selected, and it is unjust to the men you are going to select.

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. FIELDS. The War Department does not oppose this plan that the gentleman suggests?

Mr. HULL of Iowa. I am glad the gentleman has asked that question. The War Department is not opposed to it, and Gen. Crowder is not opposed to it. However, he has thought of a different plan. I want to read to you his testimony on this very point. It is in the hearings. I asked him:

Mr. HULL. Assuming the bill is passed, would there be any objection on the part of the department to having these boys drawn in at the end of class 1, instead of mixing them in as a whole? It would not change the effectiveness of the law, but it does seem to me it would look a little bit better to the country than it would if you mixed them all in at once.

Gen. CROWDER. I do not know how that would appeal to the country, but I do not see any objection to it.

There are two ways of doing it. Yours is one way and mine is the other. I do not know whether the country would want to follow this new class with any special solicitude and defer their being called until all the men now in class 1 were exhausted or whether they would prefer to see them integrated at once. As the bill is drawn, we can pursue either method, and in the absence of direction by Congress we will consider both methods. I only mention the other way as the way that has commended itself to my judgment. I can not see any special equity in the man who has become 21 years of age since June 5.

Mr. HULL. In all probability, if we did not direct you, you would mix them right in?

Gen. CROWDER. I would go before the Secretary of War and explain it to him and take his direction in regard to it. Just at present I am inclined to favor the direct integrating of the two classes.

Mr. HULL. You would not object to Congress putting these men at the end of class 1?

Gen. CROWDER. No.

So you can see that he is very positive there.

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman yield for an inquiry?

Mr. HULL of Iowa. Yes.

Mr. MILLER of Minnesota. Referring to the statement made by the gentleman a few moments ago about certain individuals in each registration district having been already listed, as he knows, to go if the War Department's plan or Gen. Crowder's should be adopted, is it likely that he would put any of these new registrants in ahead of those who have already been cited to appear?

Mr. HULL of Iowa. Certainly. That is his very plan, to have two numbers, one set up of those who have already been listed, and another of these new registrants. And if by chance, as will probably happen, a man in your district is drawn at the head of the list, that young man goes ahead of those who are already listed.

Mr. MILLER of Minnesota. But these men who have already been listed to go have been drawn already?

Mr. HULL of Iowa. Yes.

Mr. MILLER of Minnesota. Now, would not these young men be deferred anyhow until after those who have been listed heretofore have gone?

Mr. HULL of Iowa. Certainly not, if Gen. Crowder's plan is adopted. It is the right of this Congress to say which plan they prefer, and now is the time. If you adopt my amendment, that can not happen. It is to prevent this very thing that I advocate its passage.

Mr. LEHLBACH. I think the gentleman will agree that the rule is that the older a man is the more useful he is, both to his family and to the community industrially. Now, what is the merit of taking the men all the way up to 31 and sending them first, when they have responsibilities and are useful to their dependents and to the various industries, while saving to the end those who are without responsibilities, and who are not so useful?

Mr. HULL of Iowa. Because you have previously selected them. The gentleman's argument would lead to the drafting of boys under 21, in order that we might leave older ones already chosen at home.

Mr. LEHLBACH. No; we limited it to those above 21.

Mr. HULL of Iowa. Oh, well, that may come; that is, the drafting of boys under 21.

Mr. McKENZIE. Will my colleague yield?

Mr. HULL of Iowa. Yes.

Mr. McKENZIE. I simply desire to ask my colleague if in offering this amendment he does so because he believes it will be the best for the military service of our country, or for the Military Establishment, or if he is prompted in offering this amendment by the solicitude which he may have for certain individuals?

Mr. HULL of Iowa. I will say to the gentleman that it is as a military measure I advocate this amendment. To win this war we must, in my opinion, keep the masses of the people enthusiastic for war, and one of the ways to do this is to convince them that we are treating those who must bear the burden fairly in all ways.

Mr. KAHN. Will the gentleman yield?

Mr. HULL of Iowa. Certainly.

Mr. KAHN. In answering the gentleman from New Jersey [Mr. LEHLBACH] the gentleman said, "Oh, you are in favor of enlisting the men under 21," and then wound up by saying, "Perhaps that will come." Of course the gentleman realizes that we are in war and that we have got to win the war, and if the time should ever come in this country when it will be necessary to take the young men under 21 in order to fill our armies, does the gentleman mean to have it understood that he will refuse to vote for their enrollment?

Mr. HULL of Iowa. I certainly shall not when that time comes, but I shall as long as we can find men able to go who are older than that. We should all give heed to the advice of the

War Department, but when in our own opinion they are making a mistake we should fearlessly stand up and call the attention of this representative body to the same. I am willing to make any sacrifice, even to the last drop of our blood, in order to win this war; but I appeal to you to proceed in a decent manner, conserving our strength and manliness in all ways.

Mr. MILLER of Minnesota. Having entered into this subject, which is an interesting one, will the gentleman state if, in his opinion, men older than 21 are by reason of that fact better fitted to perform military service than are young men of 20?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KAHN. I yield to the gentleman two minutes to answer that question.

The SPEAKER pro tempore. The gentleman is recognized for two minutes additional.

Mr. MILLER of Minnesota. Why does the gentleman oppose training young men of 20, and why does he favor training young men over 21? Is military efficiency promoted by men who are over 21 in preference to those who are only 20?

Mr. HULL of Iowa. The gentleman is mistaken in saying that I am now opposing training men under 21; that is not the question at all. I simply believe it is better to use older ones, and when you do draft the younger blood put it in where it belongs or treat it as a human being having some rights. Older men are better fighters.

Mr. MILLER of Minnesota. Upon what does the gentleman base that statement?

Mr. HULL of Iowa. On the testimony of men who have been at the front in Europe, that the form of warfare there to-day breaks down young men, that it takes older men to perform it.

Mr. GORDON. Will the gentleman yield to me?

Mr. HULL of Iowa. Yes.

Mr. GORDON. I want to ask the gentleman if there has ever been any testimony introduced before our committee in support of the theory that a lot of fellows have got, that boys under 20 are better soldiers than men up to 40?

Mr. HULL of Iowa. I think there has been some testimony along this line, but it is all mixed up with the question of volunteers so much that I do not care to discuss it.

Mr. GORDON. But nobody proposes to draft minors, except for training, do they?

Mr. HULL of Iowa. Not yet.

Mr. GORDON. No.

Mr. HULL of Iowa. I want to call the attention of the gentlemen here to the fact that unless you adopt this amendment—if the War Department adopts their plan—you in your districts will be appealed to to save some young man for a few months until he can get ready. You will say then that you have not got the power and that you can do nothing. You have the power to-day, and it is a perfectly fair proposition for you to adopt this amendment. The War Department does not object to it. Do not be afraid of what people are saying about you back in your district; stand up and vote your own convictions; it is better to have your own self-esteem and to know that you have tried to do what you considered right in times of stress like these than it is to be reelected. [Applause.]

Mr. KAHN. I yield five minutes to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Speaker, on the face of the proposition submitted by the gentleman from Iowa [Mr. HULL] in his amendment to put at the foot of the class the men who will be drawn under the provisions of this resolution as coming of age since the last registration was made, there is a very natural appeal to the sentimental aspects of the subject. On its face it would seem as if that were the fair way to manage the business. If one did not go down below these superficial aspects very deeply it might even carry conviction as a matter of course that the obvious logic of the situation was that the young man who comes in last should be drawn last. It is true, moreover, that the Provost Marshal General has said that it did not make any particular difference to him which way it was done. That, of course, is a very easy statement for the Provost Marshal General to make under the circumstances, inasmuch as Congress having passed a law it is his business to carry out the law in the way it is passed, and in this respect, at least, it really does not make any difference to him. It is also obvious from the statement that was read by the gentleman from Iowa [Mr. HULL] that the Provost Marshal General did have a preferential method which he hopes to carry out. The ultimate effect of either method probably will not be such as to disturb the real military man power that the country will have at any given date, so that in general terms the Provost Marshal General might easily waive it aside for the present, knowing that if it did begin to affect the situation seriously there would be some

way out under military exigency or the power of Congress to give him affirmative authority to make the change. And it is much easier to have this resolution go through and get the boys in anyway than to spend much time in fixing just what should be done with them afterwards.

Now, it seems to me that doing this thing in a practical manner, dismissing for the time being solicitude for the boys when they become 21, dismissing the sentimentality that may attach to it, and coming down to the practical, cold-blooded consideration of the solemn and appalling fact that we are engaged in a life and death struggle of this Nation in the most awful war of recorded history; coming down to that as the premise from which we shall reason, it seems to me that we ought to give the soldiers to the Army with the least possible restrictions on the use to be made of them by the military commanders. It seems to me that we ought to give our soldiers to the country unhampered and unfettered by any needless restrictions as to just when and where and how and in what time they may be used.

It may be argued, as I have suggested, that this is a very small matter; that it simply puts a little farther down the calendar the right to use A as related to the time that B and other men drawn before him are to be used. And yet it is conceivable that under such exigencies as might arise the War Department might want to reach its hand out and gather up any number of men within a certain age, with certain qualifications, that would correspond to particular requisites for military service, and coming down the list find itself obstructed by an apparently innocuous clause inserted in a resolution saying that you can not touch the boys you want to use now until other men you do not want to use have been used before them.

Mr. GORDON. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. GORDON. Is not the gentleman giving an erroneous construction to this amendment? There is nothing in the amendment that requires them to use men they do not want to use before they use those that they do want.

Mr. GREENE of Vermont. I have not intentionally.

Mr. GORDON. There is nothing in it to prevent their calling the man to-morrow after the man they have drafted before.

Mr. GREENE of Vermont. The gentleman has answered his own question.

Mr. GORDON. If they are in the same class; and ought not that to be done?

Mr. GREENE of Vermont. If the gentleman does not see it I have wasted my time. The very purpose of putting these men at the foot of the list is to compel the use of other men before they are called. I say that there should be no needless restrictions on the power of the department to use any man anywhere and at any time. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DENT. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, there is no military question involved in this amendment. It will not affect the number of men that are to be drawn. The Military Establishment will get just as many men under one plan as under the other. It is a question for Congress to decide whether the men of the first draft shall be called before the men of the succeeding drafts shall be called, or whether the men of later drafts shall be integrated into the first draft and taken along with the men of that draft.

I think I violate no confidence when I say that this amendment was a tie vote in committee. There was as much argument in the committee for it as against it.

Here is the proposition that Gen. Crowder said that to his mind would appeal to him, although he did not oppose this one. His plan is to integrate the new classes into the old, and he will give the men of the new draft order numbers the same as he did under the draft of June 5, 1917, except that the order number will be 1 "a," 2 "a," 500 "a," and so on down the line. Then when he draws number 1 of the 1917 register, number 1 "a" of the 1918 register goes in with him. When he draws 500 under the 1917 register he will draw 500 "a" under the 1918 registration, and so on down the line.

If that plan is pursued here is what will happen in some cases. If the war continues three or four years some men of the 1917 registration will still remain uncalled, while some of the 1920 and 1921 registration will be immediately called. I believe it is a good business proposition, and I believe it is best for the Army to draw from the oldest class first. As I have said, it does not affect the number of men, but it makes conditions more satisfactory in the country, and in my opinion the Army more effective. We will know how many men are unexhausted

in class 1. When the new registration is had and they will know from reports how many men are likely to be called, and when the class will be reached, and young men will not be so disturbed in their school courses or in learning their respective trades or professions. They will be permitted oftentimes to complete their education by calling in their stead men who are 25 or 28 or 30 years old. I say it will make conditions more satisfactory in the country, and in my opinion it will be best for the Military Establishment. Some men, both in and out of the Military Establishment, have wanted to fight this war from the start with boys under 21. This bill as reported does not propose that very thing, but it borders close on to it and is a step in the direction of that principle, hence the necessity of this amendment.

Mr. BARKLEY. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. BARKLEY. Under the operation of the draft law all those who have become 21 years of age since the last registration, and those taken under the first draft who will be 32 and 33, will still be subject to the draft under the original registration.

Mr. FIELDS. Yes.

Mr. BARKLEY. If this amendment be adopted, would it not result in having men 32 and 33 years of age who are beyond the draft age being called before men who are 21 and 22 years of age, coming under this 1918 registration, would be called, if they fall within class 1?

Mr. FIELDS. Let us take it from that viewpoint. The man who is 31 years of age in class 1 is, generally speaking, unattached.

Mr. BARKLEY. He may not be unattached.

Mr. FIELDS. He is, as a rule, or he would not have been put into class 1. He is under the same obligation to his Government as the man who is 21. Why would it not be better to call him and let the man who is 21, who probably has not completed his education, go ahead and complete his education? Then there is another viewpoint. There is a class of men in the country who are unattached, who drift about from place to place, while the boy 21 years of age is on the farm or at home, as a rule.

Mr. BARKLEY. I appreciate that; but why should we be any more solicitous now of the boy who is just arriving at 21 than we were last year of the boys who then arrived at 21 years of age, and many of whom were called and are now in the Army?

Mr. FIELDS. I make no distinction between them. A man who was 21 on the 6th day of June last year is to-day under the same obligation to his Government as the man who was 21 on the 4th day of June; but as between calling men who are 29 or 30 years of age, and who are in class 1, and men who are 21 years of age and who have not completed their education, I would call the older men, and I think it is fair and right. Then there is another point worth considering. The country will know under my plan exactly what the result will be if we work from the head of the class, utilizing the older registrants first. I believe that any business institution would take that view of it, and I think it will make conditions better throughout the country. I sincerely hope that the amendment offered by the gentleman from Iowa [Mr. HULL] will be adopted by the House.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. FESS. I understand that the desire of those supporting the amendment will be to permit those who are coming 21 to continue their college work. It goes without saying that most of them have finished high-school work, because the high-school age would not extend to 21 years.

Mr. FIELDS. Yes.

Mr. FESS. I have a little doubt in my mind as to just how effectively a college boy can work after he is put into class 1, and he knows that the draft is likely to take him. I am of opinion that he can not do anything, and he might as well go to the Army at once.

Mr. FIELDS. That does not mean that the boys will quit entering college. They should be given all the advantages that can be given to them, without interfering with the effectiveness of the Military Establishment.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. GREENE of Vermont. Is it the gentleman's idea that a man who already has those superior social opportunities and benefits in life which enable him to go to college, for instance, shall be put into that other classification not included in Gen. Crowder's questionnaire, "to him that hath to him shall be given," and that he shall be benefited by this thing just because

he is already getting more than 90 per cent of the rest of the boys get normally?

Mr. FIELDS. No. I said a moment ago that the country boy of 21 is on the farm, and if the gentleman wants me to be frank about it I will say that it means much to the agricultural interests of this country to have him remain on the farm as long as possible and to have some definite knowledge if possible as to when his call will come. The adoption of this amendment will produce that result to a great extent.

Mr. GREENE of Vermont. It also means a good deal to the agriculturists and all others to have a country to work in at all, does it not?

Mr. FIELDS. We should consider the effectiveness of the Military Establishment first, but it does not affect the effectiveness of the Military Establishment whether you select the one plan or the other, except that the plan that I advocate will give to the Army more mature men than will the other plan.

Mr. GREENE of Vermont. It simply means that you have needlessly tied around the War Department's control of these men some hampering strings, which do not affect the Military Establishment, the gentleman says?

Mr. FIELDS. Not at all. The Military Establishment will have authority to call just as many men under one plan as under the other.

Mr. GREENE of Vermont. And yet affect the use of the people in it.

Mr. FIELDS. Not at all.

Mr. GREENE of Vermont. Then why tie them on?

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. BARKLEY. Is there any larger proportion of these boys who are 21 on the farm than there are of men in class 1 who are now between 25 and 30 years of age that are on the farm?

Mr. FIELDS. That is my contention, and I think I am correct, because men drift off into public works as they advance in years.

Mr. BARKLEY. I think the gentleman will find that the closer a man is to 30, the more settled he is. If he is on a farm, the more likely he is to stay there.

Mr. FIELDS. We know that at first the country child is on the farm, and he is at home, but as he grows older he drifts out into his chosen profession or vocation; therefore the man of 21 who is reared on the farm is more apt to be on the farm than is the man of 30 who is unmarried or unsettled in life.

Mr. SHALLENBERGER. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. SHALLENBERGER. When we are choosing between men of 30 or 31 and men of 21, is it not fair to conclude that the man who has become 30 years of age and who has not become essential, industrially or socially, who has no family, is a better man to put into the ranks than the boy who is just coming 21 years of age, who has had no opportunity whatever?

Mr. FIELDS. I thank the gentleman from Nebraska for raising that question. I intended to allude to it, but I was interrupted. Here is another proposition, from a military point of view: These men who are now 30 years old are growing away from their efficiency; they are growing away from the military service. Suppose the war goes on for 8 or 10 years and you utilize young men in their stead, and 10 years from now they have become incapacitated, in part, by age and the young man, who would be in the prime of life, has been taken to the Army. Would it not be a better business proposition, would it not be a better military proposition, to use the man who is growing out of his military usefulness first? Is it not conserving the military strength of the country to begin at the head of the class and work down? There is no argument on earth against it. The man of 21 has 10 years longer to live, 10 years more of usefulness ahead of him, than the man of 31.

Mr. McKENZIE. Will the gentleman yield?

Mr. FIELDS. I will yield to the gentleman.

Mr. McKENZIE. Does not my colleague favor the proposition of enrolling all men between the ages of 21 and 40?

Mr. FIELDS. Yes; I voted for it last year.

Mr. McKENZIE. Does not that answer the argument that the gentleman is making?

Mr. FIELDS. But we have not done that; we are dealing with conditions that confront us at this time.

Mr. GREENE of Vermont. Will the gentleman permit me to ask him a question?

Mr. FIELDS. I am delighted always to yield to my friend.

Mr. GREENE of Vermont. I thank the gentleman. What is to become—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FIELDS. I hope the amendment will be adopted.

Mr. DENT. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, now this argument resolves itself into this. The chairman says that Gen. Crowder will do it by regulations if he does not change his mind, but, of course, he changes his mind sometimes. A year ago, with great circumstance and eclat, we had a drawing which was supposed to fix the order in which everybody who was registered should be called into the military service, and did fix that order. Of course it fixed the order of some who did not want to serve and resulted in some friction and objection, and in order to meet that objection the bill was amended in certain respects. I do not intend to discuss that, because I am not going to thrash over ground that we have already passed. I do say that there is no argument that can be made either upon the ground of military efficiency or any other ground, no legitimate argument that can be made against this amendment. As the gentleman from Kentucky [Mr. FIELDS] just stated before he left the floor the men who were registered last year are under the provisions of law liable to render military service whenever called, and those who are unattached or have waived all exemptions are put in class 1, and they are there now, and this proposition would permit under regulations to be adopted any time anybody in the War Department thought best, to defer these men who are in class 1, and put in these boys who have just become 21 years of age. I think the action of the Congress in repudiating the result of the drawing was very unwise, but that has been done. If that drawing, which everybody conceded was the fairest thing connected with the administration of the draft law, had continued in force nobody would seriously have proposed taking these boys who become 21 years old after the registration was had and put them in ahead of anybody older in years who is in the same class. Now, it seems to me for every possible reason that anybody can think of the older man should be taken first because, according to the contention of some gentlemen when a man gets to be 30—and Congress adopted that maximum age limit upon the theory that a man over 30 was not so good for military service as a man under it—if that is true, do you not believe you are conserving the military strength of the country by taking these older men rather than the youngest men you can lay your hands on?

Mr. BARKLEY. Will the gentleman yield?

Mr. GORDON. I will.

Mr. BARKLEY. If that theory is correct, why not direct the War Department to take the man of 31 before the man of 30 is taken and to take the man of 30 before the man of 29, and come on down the list of the different classes?

Mr. GORDON. That is the question that was thrashed out when this draft law was enacted. It was thought best not to take men between 21 and 40 for reasons satisfactory to the military authorities, although the proposition to eliminate the age limits of 21 to 40 only got six votes in this House. There were only six men who stood up here and voted for the amendment of the gentleman from Minnesota [Mr. MILLER] to make the age 19 to 25. Of course, the plan at that time was to draft all those between 19 and 25, and the army of the first 1,000,000 men was to be made of boys 19 and 20 years of age. I wonder how many men in the American Congress to-day would be proud to hold up their heads if the 1,000,000 men, or whatever the number is we have over there, were boys of 19 and 20 years of age?

Mr. BARKLEY. Will the gentleman yield for another question?

Mr. GORDON. Yes.

Mr. BARKLEY. If the gentlemen's theory is correct and the age limit was from 21 to 40, then we ought to take the man of 40 before we come to the man of 39, and so on down.

Mr. GORDON. Not at all. You take them in the order they were drawn in. They are all equally liable for military service, and the Congress stated that a man between the age of 21 and 30, inclusive, was liable, but the obligation is equal upon all in that classification.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. GORDON. I will.

Mr. GREENE of Vermont. When the gentleman says the obligation is equal on all men in a class, then why does he give those boys who have become 21 a preferred situation?

Mr. GORDON. Because when we passed the draft law we said they were not liable to military service. We are passing a new law that provides that when they shall have arrived at the minimum military-service age they shall become liable.

Now, if we are doing that, why not allow them to come in in the regular way in which they grow into military service?

Mr. GREENE of Vermont. In the original allotment men of 21 had to take their chances with men of 31 as to whether they went at the head of the list or not. Why not now?

Mr. GORDON. They do not now. If you had voted with me they would have taken their chances in a drawing of lots, but under the law now and this joint resolution, these boys can be put in ahead of those drafted a year ago.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DENT. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. GORDON. I would like to have some man point out one logical reason consistent with the votes already cast by this House, against this amendment. There is not any. The only argument I have heard that had any force at all is the statement of the chairman of the committee to the effect that he did not care much about it, because Crowder said he was going to do it anyway. The trouble is, Crowder changes his mind sometimes.

Mr. KAHN. So does the President.

Mr. GORDON. All men do. If anybody can give me one reason against this amendment I will vote against it.

Mr. McKENZIE. Can my colleague give any good reason, from a military standpoint, why these boys that are going to be registered now should be put in a preferred class?

Mr. GORDON. This does not put them in a preferred class. It simply puts them into the military service after the men that we declared a year ago are the men that ought to fight for us. The best military reason I can think of is the reason that actuated you when you voted for the bill to fix the age for military service between 21 and 31. I do not agree that 30 years is the highest point. I think men under 40 are better men to fight than boys under 20. Do not make any mistake about my position. I am talking to men who voted for this draft law which made 30 the maximum age limit, but who want to put boys in now, so that a lot of these fellows will grow out of their military obligation. And I do not want to do that.

Mr. McKENZIE. I will state my question in another way. Can my colleague give any good military reason why these men who are to be registered should not be integrated with those in class 1?

Mr. GORDON. They have not become of the age. This Congress says we ought to impose military service upon them, too, some of them, and I say when they shall become of that age they ought to go in the order in which they are drafted. We drafted the other men a year ago—

Mr. McKENZIE. If my colleague will pardon me, he has not answered my question. What I want to know is, whether you or anyone advocating this amendment can give any good military reason why these boys who have arrived at the age of 21 should not be integrated now with the men now drafted?

Mr. GORDON. I will give you one definite reason and it is this: That the older men are better men for the military service than boys of 21.

Mr. MILLER of Minnesota. Who says so?

Mr. GORDON. I say so. This bill applies to men who are not yet of age.

Now, of course we could stand here and argue all summer about the question of whether men under 40 are better men for soldiers than boys under 20, but I think it is a foolish proposition for any man of common sense to try to argue, especially in a war like this.

Mr. GREENE of Vermont. This is merely a good-natured suggestion. You do not mean to leave the impression that this bill applies only to men of 21?

Mr. GORDON. It applies to everyone who has reached 21 since June 5, 1917, or may hereafter do so.

Mr. FIELDS. Will the gentleman yield?

Mr. GORDON. I will.

Mr. FIELDS. If the men of the older ages in the draft to-day are not as effective as the men of 21, they will still be less effective two or three or four years from now.

Mr. GORDON. Of course they are growing more ineffective all the time as they are getting older.

Mr. BARKLEY. Let us take two boys, one who is 21 on the 4th of June and the other one 21 on the 6th day of June.

Mr. GORDON. That is an example of the maxim "De minimis non curat lex."

Mr. BARKLEY. The first was compelled to register; the second did not register. Now, can the gentleman point out any reason in fairness why one of those boys by reason of the difference of two days in their birthdays should be given deferred classification?

Mr. GORDON. No; and this does not give him a deferred classification. Of course, you have got to adopt some arbitrary rule. Congress said it did not propose to draft boys to send to Europe until they were of age. Congress was appealed to for 21 years as a minimum. I think the reasons excellent. Of course, if you are going to split hairs by talking about one that

became 21 before registration day and the other 21 on the day after, that is not practical. The obligation is equal, except that the law made one liable and did not make the other one liable. You have got to adopt some arbitrary rule. What do you say about a man who became 31 on the 4th day of June? The latter is liable under the present law and is a year older than he was then. Why not put him in, then, if he is in class 1? He is drafted and has known it for a year. Congress has imposed this liability and burden upon him. It applies to those boys, every one of them, that have become of age since the 5th of last June, and will apply to everyone in the future who becomes 21 years of age.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DENT. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. QUIN].

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for five minutes.

Mr. QUIN. Mr. Speaker, I have listened here to my good friend from Ohio [Mr. GORDON]. The Hull amendment came up in the committee, and I took the view there that I take here, that it could accomplish no good purpose, and that it is nonsensical sentimentality.

We are in a war and a serious war. The resolution that this Congress passed a few days ago provided that all of class 1 throughout the entire Republic should be exhausted before class 2 should be invaded in any bailiwick in the United States. Now, this resolution before the House provides that every young man who has reached the age of 21 years since the 5th day of June, 1917, the registration day, shall at once become subject to the draft law.

And let me animadvert, my friends, for one moment to the proposition that the draft law is now the policy of the Nation. We should lay aside our views as to a volunteer army. My good friend from Ohio [Mr. GORDON] and myself both entertained those views when we had the original draft law up, but after we were whipped and the Democratic majority on the committee was whipped on the floor of this House, I say, as Democrats and patriots, it is the duty of all of us to stand behind this administration and stand behind the War Department and amend this draft law just as the President and the War Department desire. I shall stand for that throughout the war.

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Mississippi yield to the gentleman from Kentucky?

Mr. QUIN. I can not yield now.

Mr. FIELDS. * This proposition was not up at that time.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. QUIN. The proposition before us now is to get the most men in class 1 available for service in the Army without in anywise hampering the farms, the industries, and the other productive activities of this Republic during the progress of this great war. How else could it be done, and how better could it be done than to take in this million young men who have become of age since June 5 last and place them in the general pot of the draft, to be called into the Army whenever the Government needs them? No doubt three-fourths of those will be placed in class 1. Those young men without any dependents upon them will be placed in class 1, and why should they be deferred down to the bottom class? All of the men who reach the age of 21 years in this Republic each and all owe the same duty to this Government to go and fight its battles and follow its flag, in France or anywhere else. If they all owe that duty, why is it that the Government should put in a special-privileged class the boy who did not happen to be 21 years of age on June 5, 1917, but who has reached that age since then?

As a military proposition, my friend from Ohio said he would ask any man to assign a single reason against the Hull amendment. I can assign several against it. I say that the law and the Government owes no more right or privilege to any one citizen than it does to another; that a man who is 25 years of age and in class 1 owes no more to this Government than the man who is now 21 years of age; and the War Department wants to put all of them into a general hodgepodge to fill up class 1, so that nowhere will poor men be called away from their families, from their wives and children, so that no man who is really essential on the farm in producing food for the people of this Republic and to maintain our armies shall be taken, so that no man who is essential in the production of ships shall be taken, and—

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Mississippi yield to the gentleman from Kentucky?

Mr. QUIN. I can not yield. I would love to yield to the gentleman, but I can not.

The SPEAKER pro tempore. The gentleman declines to yield. Mr. QUIN. So that those I have just mentioned will not be taken away from those industries. And for that reason we need to have a surplus in class 1, that can be drawn from all the time. And, my friends, this is no little matter. This is an important matter. In my judgment, the War Department is exactly right.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. QUIN. Can the gentleman from Alabama give me five minutes more?

Mr. KNUTSON. I would like to ask the gentleman a question, if I may.

Mr. DENT. Can the gentleman get along with three minutes?

Mr. QUIN. I will try to.

Mr. KNUTSON. Will the gentleman yield?

Mr. QUIN. I can not yield.

Mr. KNUTSON. Just for one question.

Mr. QUIN. I would love to yield to my friend, but all I have is three minutes, and I would like to discuss this matter.

Mr. KNUTSON. I will not insist on it, then.

Mr. QUIN. I thank my good friend. [Laughter.] The proposition that the War Department put before our committee and which the committee brought here is for the best military interests of this country. It is for the best industrial interests of this country. It is for the best interests of every farm in this Republic and it is for the best interests of all the people of the United States; and certainly, in my judgment, it is the one thing that we should do to perfect this draft law, so that a hardship will be worked upon no one. The young men who have reached the age of 21 since the 5th of June last year all owe to the Government the same responsibility as the man who is 31, and they can be best spared from the farm and from the industries to go to the fighting line, and obviate the taking away of poor farming and laboring men who have whiskers on their faces and a whole lot of little children around their hearthstones requiring to be fed and clothed. [Applause.]

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. QUIN. Yes.

Mr. FIELDS. This does not propose any more.

Mr. QUIN. The effect of it is that, and my friend from Kentucky knows it is bound to be that. The effect of this resolution—and if any man will analyze it he is bound to see that that will be the result—the effect will be to take the men who have no responsibilities upon them. It would take the men who can be free to go and fight without disturbing home relations, except their fathers and mothers, of course.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. QUIN. Yes.

Mr. GREENE of Vermont. Is it not true that when the first draft was drawn the boy who was then 21 and eligible had to take his chance, whether he would be one of the first drawn in the numbers and go to the head of the list?

Mr. QUIN. Certainly.

Mr. GREENE of Vermont. Is it not fair that these young men should take the same chance?

Mr. QUIN. Certainly.

Mr. GORDON. You have abolished the drawing. They did not take any chance.

Mr. QUIN. We must get an effective army without destroying the industries of this country. Every man in this House knows that from one end of the country to the other the cry came, "Do not take the man off the farm; we must raise food." The War Department, knowing that, asked us to pass this bill, so that they will have a reservoir of men there and that the farmers who are married will be left untouched and will produce the necessary food.

Mr. GREENE of Vermont. Has the drawing been abolished?

The SPEAKER pro tempore. The time of the gentleman from Mississippi has again expired.

Mr. KAHN. Mr. Speaker, I yield the gentleman from Mississippi [Mr. QUIN] three minutes of my time.

Mr. GREENE of Vermont. Has the drawing been abolished?

Mr. QUIN. No, sir. The draft law is operating now just as it did when we began. The trouble about it is that the gentleman from Ohio [Mr. GORDON] has that sentimental idea running through his mind that you owe more to the boy of 21 years of age than you do the man 25 years of age. I can see that there is some reason for that in sentiment, but when you are in a cyclone you are going to run into the first place of safety.

We are in great danger, and we need this reservoir of young men to draw upon.

Mr. GORDON. Do you think we will get away from this cyclone by taking the men of 21 rather than the men of 31 in the same class?

Mr. QUIN. The man of 31 is going to be taken, like the boy of 21.

Mr. GORDON. No; he is not.

Mr. QUIN. That is what the law provides.

Mr. GORDON. No; that is what our amendment provides—for taking the men of 31 first.

Mr. QUIN. You want to exhaust all of them before you take a single one who has become of age since the 5th of June, 1917. That is nonsense. It can not be for the best interests of this Government. It can not be the military reason. The military reason is to take every man who becomes 21 years of age and place him in the general hotchpotch, to be drawn upon to fight for this country. Who opposes that? When you take a young man 21 years old you do not take a man away from his wife and children but you take a single man without anything to keep him back home, except, of course, his love for his father and mother and brothers and sisters.

Mr. JOHN W. RAINEY. Will the gentleman yield for a question?

Mr. QUIN. I yield to the gentleman.

Mr. JOHN W. RAINEY. Is the gentleman in favor of taking a young man of 21 years of age and depriving him of the opportunity to develop himself, to perfect himself in a trade or profession?

Mr. QUIN. Oh, my goodness, my friend! We can not stop to talk now about developing ourselves in trades. We need men to fight on the western line in Europe. The English are being driven back, the French are being driven back, the Americans are being killed and wounded, and yet we talk here about giving some man time to learn a trade.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. QUIN. Give me another minute.

Mr. KAHN. I do not want to destroy that peroration, and I will give the gentleman another minute. [Applause.]

Mr. QUIN. Talk about developing, talk about going to school when our flag is about to drag in the dirt! When the Germans, who propose to destroy our civilization and take away our property, our liberties, and our lives, are pushing forward upon us you propose to allow men above 21 years of age to be talking about going to school or sitting around in the parlor. They ought to be willing and ready to go out and follow their flag and go over the top anywhere for this Government. [Applause.] This is no time for us to talk about young men over 21 years old wanting to go to school. Why, we understand that all men would love to be at home. All men would love the opportunities of developing themselves, to become intellectual giants or statesmen or great men in the world's affairs, but the duty they owe their Government is to protect the Nation, so that all, poor and rich, high and low alike, may serve the Government that, in turn, will protect their liberties. [Applause.]

Mr. KAHN. I yield 10 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Speaker and gentlemen of the House, practically all the battles of this country have been fought by boys under 21. This Congress has decided that the battles of this country hereafter shall be fought by men over 21. There is no particular hurry, then, why we should grab the boy the minute he is 21 and shove him into the firing line. The battle fields of the Republic, from Bunker Hill to Guigneto, are rose red and crimson with the heart's blood of boys 16 to 21. What is the hurry to have them take their turn at bat now when there is a million older in the line that is waiting? Who was it that fought and fell from Gettysburg to Franklin, at Chancellorsville and Vicksburg, at Mission Ridge and Pea Ridge? The volunteer whose heroic figure and immortal fame will live forever, even though you have given him a discharge "without honor." You can see the little volunteer yet.

Out of the focal and foremost fire,
Out of the hospital walls as dre,
Smitten of grapeshot and gangrene,
Eighteenth battle and he sixteen,
Specter such as you seldom see,
Came little Griffin of Tennessee!

The minute he is 21 you want to throw him into the firing line. The gentleman from Illinois asks, Is there any good military reason why men of 31 should not be sent to the firing line before boys of 21? Why, surely. Anybody can tell that. Let us put it on a cold-blooded business basis. If the gentleman wishes. The boy of 21 has 10 years longer to live for the Republic and fight for the Republic, and to be used on the firing line, than the other one. The sensible plan is to preserve him and his 10 extra years—use the one that will last the least time. Why shove him in and get him killed at the same time that the boy of 31 goes in? In a few years the boy of 31 will cease to be useful, and long after that, when he is dead and gone, you can

use the boy of 21. Lose a man of 30 and you lose 20 years. Lose a boy of 21 and you lose 30 years. Conserve him on the same principle that young trees are not cut down. Which is it that you strike down, the monarch of the forest or the little sapling? Why, the question answers itself.

The gentleman and soldier from Vermont stated it very aptly when he said that, in the first place, if you thought about it of course it seemed natural that you should let the boy of 21 wait; that, in effect, anybody of any sense of course would naturally expect to keep the boy of 21 until the last. And then he proceeded to argue the seal off the bond, a thing which he is mighty handy at doing. He can always give a good reason for anything. I marveled at his ability as a debater to tell why we should not take them. But suppose you were a man of 31 on the firing line, and suppose you had a brother of 21 on the firing line with you. Suppose they called for volunteers for a forlorn hope, which of you would go? If you were any man at all, you would go and send your mother's younger boy back to wait until the next time. That is what this Republic expects these men to do. It expects that the men of 31 will go first to the firing line, while it conserves the young strength of the youth of the Republic, which will last longer. Of course that is the sensible thing to do. There are enough boys of 16 to 21 lying in their graves who fought for the Republic and died for the Republic before they became of age and before they could have any mature judgment. Why should not the men of 21, who could vote when war was declared, and the men up to 31 go before the boys of 19 and 20, who did not have anything to say about it? There is plenty of patriotism in this Republic, and half the boys of 16 to 21 would be in the Army now if you would let them. You know that an army of volunteers would be full of boys. You voted against it. The men of 31 are patriotic. They have sound judgment and good sense, and they do their duty when you ask them, and they will want you to conserve our resources in the natural way, as the gentleman from Vermont suggested.

I have a matter in that connection to which I want to call your attention. There is plenty of patriotism in this country. Thank God, the American Republic is sound to the core and practically all of its citizens are loyal citizens. Ninety-five per cent of the Croatians in Kansas City, Kans., have bought liberty bonds, I learned to-day. I find a very curious thing here. It seems we have not even got to depend upon the boys of 19 or 20. We have agitated the woman question so much that we have gotten a response. It seems that the English send the boys into the firing line and appoint young women as army field clerks, from the letter I shall read.

I made a little talk here on the 9th of March as to the difference between men who go out and fight for their country and men who wear uniforms in the departments. Here is a letter from Miss Blanche A. O'Connor, who is in the department Judge Advocate's office in Chicago. I thought uniforms and shoulder straps were for fighting men, not for civilians with no military training doing civilian's work. That men in uniforms and shoulder straps should share the dangers of their comrades if they shared their honors. Yesterday the National Association of the Daughters of 1812 resolved to put no star on the service flag except for those who risk their lives or propose to risk their lives for their country. Miss O'Connor is of their opinion.

She refers to my talk in the House March 9, and says:

CHICAGO, March 29, 1918.

HON. E. C. LITTLE,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have read with a great deal of interest your discussion in a recent issue of the Army and Navy Gazette, and was particularly impressed with the following statement:

"The principal business of the American Army is to win the war. This war is not going to be won in Washington. * * * It is going to be won on the firing line. As far as I am concerned, I would like to see an order made to-morrow that every man with a uniform on in Washington be sent to the front, where they ought to be. This is not a place for soldiers."

As a woman Army field clerk, I also believe that the war can not be won in Chicago, and am taking the liberty of asking your good offices, in behalf of women Army field clerks for the following reasons:

In August, 1917, I was sworn in as a temporary Army field clerk to serve for the period of the war. I have been admitted to the Illinois bar three years, but being an experienced stenographer I desired to serve my country in some way. At that time the colonel judge advocate in charge believed that the place of men was in the field, and consequently women were employed in the office. Since that time three women have resigned and their places have been filled by young men within draft age. These young men were holding good positions when they were employed as Army field clerks, but I did not think it would be tactful or discreet, on my part, to say why I think they left civilian life to enter the service in this way. The fact remains that we have a large number of Army field clerks in Chicago in officers' uniform— young men within draft age. Their status is between that of an officer and an enlisted man. Their duties are purely clerical, and are such as can be performed by a woman, and in most instances better.

I would welcome an assignment to foreign service, as doubtless many other women now in the service would. I am equipped, I believe, both mentally and physically, for the work, and have a fairly accurate knowledge of the French language. Up to this time, however, the War Department has detailed only men in this capacity for overseas service. The woman Army field clerk has a military status, and to assign them to foreign service, particularly in the branch offices of the Army, would not be an untried experiment as to the fitness and capability of women, as is borne out by the fact that women are detailed in the Army and Navy Female Nurse Corps; the Surgeon General has made a recent ruling that women may be employed as bacteriologists and laboratory assistants; Gen. Pershing has called for contingents of telephone operators, and the branch offices of our Army in France, I believe, already have employed French women. All these units of women have been, and are now being, assigned to duties far more dangerous than would be the work of an Army field clerk. The morale of the Army has also been enhanced by the employment of women, as can be seen by the work of the women's canteen committee, Salvation Army, and other units, which have been working in the war zone.

The work which I am doing here in the central department could easily be filled by a woman who is a cripple or who has obligations which would prevent her from going to the front, and as my father served four years in the Confederate Army, and my mother saw four brothers volunteer in the Union ranks, I am necessarily of the opinion that every American young woman, physically able and who has had training in the military offices, should be sent to the front in the same manner as the women in England are employed, and more particularly at this critical time when men are so badly needed in the combatant forces.

Assuring you that I should, indeed, appreciate an indorsement on your part of the advisability of the employment of women Army field clerks in foreign service that I may leave the patriotic young men in this office "alone in their glory," "to pursue the even tenor of their ways," I remain,

Very respectfully, yours,

BLANCHE A. O'CONNOR.

CHICAGO, April 7, 1918.

MY DEAR CONGRESSMAN LITTLE: I wish to thank you for your letter of April 2, and its kind expressions on my behalf.

I am glad to inclose an affidavit as to my service in the War Department of the United States Army, acknowledgment by The Adjutant General of the Army of my application for foreign service, and also copy of telegram appointing me from the civil-service list of lawyers to the position of law clerk in Washington. I have, however, declined the appointment, believing that the place of every American woman, with the requisite qualifications in the military service, is at the front, that no one may accuse her of not heeding the Biblical admonition of "Whosoever has set his hand to the plow, and turning back, is not fit to enter the Kingdom."

You will note that at the time my application was made some two months ago the department did not contemplate assigning women to duty in France. That they are employed almost exclusively in the base armies of the allies, more particularly England, would seem to be one of the logical reasons to be advanced for their being assigned by the United States Government.

Again assuring you of my appreciation of your efforts in behalf of women Army field clerks for their appointment to overseas service, and of my utmost confidence in the outcome, I am

Very respectfully, yours,

BLANCHE A. O'CONNOR.

Mr. Speaker, there are in the departments many young men who would be glad to be relieved from the monotony of department work even if in uniform and proud of an opportunity to go to the front as their brothers and fathers and grandfathers before them. If there be those there who are reluctant; if there be those who are satisfied to work in bomb-proof safety, the newspapers have announced, since March 9, that the Chief of Staff has said men who were seeking to evade actual service and men who can well be spared would soon be sent from Washington. The young lady from Chicago in this letter I lay before the House suggests the plan by which the one can be spared and the other's wish be granted. She tells us that the English have women Army field clerks. She appears as the first volunteer for that service in the American Army, the sister in arms of those admirable nurses who have made so sweet and so gallant a record with our troops on a thousand fields. As she sensibly suggests, clerical work can be done here and at the front by women as well as by men, and every soldier can be spared for the shock of war. That her name is O'Connor is somewhat significant; that name is not unknown in the annals of war.

Already, gentlemen, all our young men hear the summons to the field, and our old men the rumble of the guns they have heard before. The call has been heard in the hearts of their sisters, and this letter spread on your records will tell the world for a thousand years that our people stand shoulder to shoulder to stake the last dollar, the last man, and the last woman that this mightiest Republic shall conquer or perish for those principles of equity and liberty which are the corner stones of human rights and a Christian civilization. Mr. Speaker, I want the House and the world to know that the women are ready to go to the front. Let the Huns take notice they fight a united Nation as in the brave days of old. [Applause.]

Mr. DENT. Mr. Speaker, I yield 10 minutes of my time to the gentleman from California, but before doing that I yield 5 minutes to the gentleman from Pennsylvania [Mr. Moore].

Mr. MOORE of Pennsylvania. Mr. Speaker, I thank the gentleman from Alabama for his courtesy in yielding me this time, but the subject I desire to speak upon would take more than

five minutes. I wish to talk seriously on the question of the preservation of the dead bodies of our soldiers. I have some data on that subject that I would like to present. I realize that this bill ought to be passed, and am in sympathy with the gentleman in charge of the bill in urging and hastening its passage. Therefore I yield back the balance of my time.

Mr. DENT. Now, Mr. Chairman, I yield 10 minutes of my time to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I have listened with much interest to this discussion. I am prepared to vote, so far as I am concerned, and do not know that I can make any statement that will cause anybody to vote as I do. I have constituents that will come in the 21-year-old class and some in the 31-year-old class, and all the way between. I think I shall vote for this amendment, and for this reason: Class 1a is the first to be called, and then you can take all the way through class 1. I am not an expert in military affairs, but all of them, I take it, are to be drawn before you come to class 2.

There are several classes that are exempt. For instance, if a man is unmarried and has dependents he is exempt. If a man is married, under certain conditions—and he is apt to be dependent unless he is awfully well heeled; then there are certain callings that are exempt, certain portions of the farmers, mechanics, and so on, as I understand it, and I wish to be corrected if I am wrong. Now, the man that is exempt, and if in class a 1, 2, 3, and 4, is a man that does not have any dependents and does not come in as a farmer or a mechanic and be exempt on that account. If he is healthy and passes the doctor, does not have dependents at all, is not exempt, I do not see why that man should not be called before the boy that is 21 years old on the 3d of June next, if that is the date.

That is all I want to say about it, therefore I shall vote for the amendment.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. MILLER of Minnesota. The gentleman does not mean to assume that all married men who have families dependent upon them are exempt?

Mr. GORDON. They are if they claim it.

Mr. MILLER of Minnesota. No; nothing like it.

Mr. CANNON. If they have dependents they are substantially exempt. I said that I was not an expert touching military affairs, but I apprehend that if they have dependents they are exempt. Anyway I am willing to let the boy that becomes 21 early in June next, if he is called—and class 1 will not be called for a year—I am willing that he shall have that additional year either to go to school or work on the farm or otherwise. [Applause.] Mr. Speaker, I yield back the balance of my time.

Mr. KAHN. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. MORIN].

Mr. MORIN. Mr. Speaker, much has been said on the floor of this House and by the newspapers throughout the country in relation to the number of commissioned officers on duty in the departments here in Washington, and I believe that there is a misunderstanding both among the Members of this House and the people of the country as to the actual number and class of officers that are on duty here.

Those statements have placed all these officers who are compelled to remain here on duty under the embarrassment of being in the class of slackers or of having been taken from civil life through political influence and given commissions for the purpose of avoiding military service in the field.

Such statements, I believe, are unfair and unjust to the brave, patriotic, and highly efficient officers who are compelled, much against their own will, to remain here in order to perform the important duties to which they have been assigned. So in order to have the correct information for the Members of the House and place these officers in the proper light before the people of the country, I requested Adjutant McCain for a statement of the number of men and the branch of the Army to which they are attached, which I now ask the Clerk to read.

The matter referred to is as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, March 26, 1918.

Hon. JOHN M. MORIN,
House of Representatives.

DEAR SIR: In response to your recent request for information relative to commissioned officers who have been assigned to duty in Washington in connection with the work of the various staff corps and departments, I have the honor to advise you as follows:

There has apparently been considerable misapprehension regarding both the kind of work performed by officers on staff duty and the number of them detailed in Washington. The public in general seems to be under the impression that staff duty and purely clerical duty are one and the same thing and that the work could be performed as well by a civilian as by

a commissioned officer; in short, that a staff officer is nothing other than a clerk in uniform. Moreover, the number of officers on duty in Washington is generally believed to be much larger than it really is, owing to the temporary presence here of officers making personal reports to the department or on furlough from near-by camps and also, perhaps, because the novelty of the sight of an officer's uniform has not yet worn off and an exaggerated notion as to their number results.

The following figures have been compiled to show the total number of commissioned officers in the various staff corps and departments of the Army on March 23, 1918, and the number of these who were detailed for duty in Washington:

	Total.	On duty in Washington.
General Staff.....	165	79
Adjutant General's Department.....	331	47
Inspector General's Department.....	105	26
Quartermaster Corps.....	6,628	603
Engineer Corps.....	5,807	332
Ordnance Department.....	4,284	1,880
Signal Corps:		
1 and Section.....	1,511	91
Aviation Section.....	8,825	525
Medical Corps.....	124,425	534
Dental Corps.....	15,628	13
Veterinary Corps.....	11,803	15
Judge Advocate General's Department.....	165	42
Militia Bureau.....	7	7
Bureau of Insular Affairs.....	3	3
Chaplains.....	662
Professors, Military Academy.....	7
Director of Civilian Marksmanship.....	1	1
Total.....	60,357	4,198

1 Only 16,979 commissioned officers of the Medical Corps, 1,814 of the Dental Corps, and 185 of the Veterinary Corps were on active duty March 23, 1918.

Of the total of 60,357 officers included in this summary it will be observed that 32,690, or over one-half, are in the Medical, Dental, and Veterinary Corps, in the Judge Advocate General's Department, professors at the United States Military Academy, and chaplains. Included in the list are also the executive chiefs of the various staff corps and departments and the officers of long military experience who act as their assistants and advisers. It certainly can not be held that the duties of these trained soldiers, physicians, dentists, lawyers, clergymen, etc., are susceptible of being performed by civilian clerks.

The Signal Corps is also included in the above summary as part of the staff of the Army, but the greater part of its commissioned personnel of 10,336 officers will eventually see active duty of the most dangerous character. A similar statement is applicable also in the case of the 5,807 officers of the Engineer Corps, which corps, it should be stated, is properly part of the line of the Army and not of the staff.

The present war has developed into a war of specialists. History affords us no precedent of the sort, and the presence in the armies of to-day of considerable numbers of highly trained specialists in mechanical, chemical, and other technical and scientific lines has become an absolute necessity. A considerable proportion of the balance of the number shown above is made up of these, notably in the cases of the Ordnance Department and the Quartermaster Corps.

In the comparatively few cases where Army officers are performing duties of a strictly clerical nature, it is to be observed that the work required of them is so highly confidential and demands such long hours that it has been deemed to be in the best interests of the service to place it in the hands of men amenable to military discipline. There is also a very limited number of instances of commissions having been granted to men of high standing in the business world and trained experts in their particular lines, who responded patriotically to the Government's appeal with a tender of their services. The services of these men are of great value to the department, and the granting to them of commissions in the Army in return therefor appeared to be the only adequate way of meeting their cases.

As shown above, there were, on the 23d instant, 4,198 staff officers actually on duty in Washington. The larger part of this number is made up of officers on purely temporary duty. The number varies considerably from day to day; but even though a month from now exactly the same number were still on duty here, this would not necessarily mean that it was still made up of the same individuals, for the personnel is constantly changing. An officer on duty in Washington to-day may to-morrow receive orders to proceed to Europe and his place here will be filled by another.

At the time the United States became involved in the war the number of commissioned officers in the Army, including the National Guard then in Federal service, was 9,524, while at the present time there is a total of approximately 128,000. In view of this tremendous increase it is but natural that the number of officers on duty in Washington should likewise have been greatly augmented. This increase in the commissioned strength of the Army had to be effected in the shortest possible time, and it is perfectly natural that some mistakes were made and commissions given in some cases to applicants who would not have received them had the time for determining their qualifications been more ample. As soon as an error of this sort becomes apparent, it is rectified, and whenever the department's attention is called to a specific case an investigation is immediately ordered. In line with this policy a considerable number of officers in the Medical Corps have recently been discharged from service, which accounts for the apparent discrepancy between the figures now furnished and those which I gave out about two months ago.

In conclusion, it is only just to those officers who are detailed to duty in Washington to state, in their behalf, that the assignment was not of their own choosing, and that there are few amongst them who would not welcome the receipt of orders transferring them to duty at the front. With the exception of those amongst them who hold commissions in the Medical and Dental Corps, they are not noncombatants, as seems to be generally believed, but will be called upon to perform regular duty with troops and will all, from time to time, as occasion arises, be ordered to the front.

Very respectfully,

H. P. McCAIN,
The Adjutant General.

Mr. DENT. Mr. Speaker, I yield two minutes to the gentleman from Illinois, Mr. JOHN W. RAINEY. [Applause.]

Mr. JOHN W. RAINEY. Mr. Speaker, I directed a question to the gentleman from Mississippi inquiring whether or not he was in favor of having boys who have just attained maturity called immediately into the service and permit those who are already in the draft, men of more mature years who have no obligations or dependents, who have no profession or trades, to avoid service for some time to come, while the young man of 21 would be immediately pressed into service and the opportunity denied him of continuing his education, developing a profession, or learning a trade.

Had he answered my interrogatory I would not have inflicted myself upon this body, because of the limited time, and I want the chairman of the committee to know that I am grateful for the opportunity given me to say a few words.

The military authorities are willing, if this body so directs, that they call all who are in class 1 before mustering into service these young men who have attained the age of 21 years since May 18, 1917. Therefore, gentlemen, if we pass this amendment we will not in any way hamper or disturb the military authorities. Nothing in the world could induce me at this time, when the life of our Nation is in the balance, to handicap or embarrass the military authorities. I feel, like the gentleman from California, that if the time comes for the successful prosecution of this war if necessary we will call into service all boys from 18 and up, call on all Americans who are physically able to do battle to annihilate the Hun and to establish the principles of democracy, but until that time comes I favor this amendment and am unalterably opposed to taking the young man who has just reached 21 years of age, deprive him of higher education, a chance of advancement, and probably destroy his future career.

If this law is passed the young man will recognize that if the war continues he must eventually be called into service. He will have an opportunity during spare time to prepare himself in a military way, probably in his home town, by joining some military company that drill and prepare themselves in the evening and still the opportunity will be given him during the day to continue his studies.

It has been suggested that there should be no sentiment involved, which is true, because this is a practical question, a question of life and death, but it is absolutely impossible to eliminate sentiment from the hearts of the parents who are giving that which they hold most sacred in the world to their Government, and if, my friends, in this amendment we can alleviate the pain and anguish of the parents of these boys, help assuage their grief without working any hardship or disadvantage to the military authorities, I think their feelings should be taken into consideration.

I believe, and I think the majority of the Members of this House feel, that it is unjust to the young man of 21 to permit the military authorities at this time to call him into service until class 1 has been exhausted.

I believe, gentlemen, these young men should be given an opportunity to develop themselves physically and mentally until class 1 has been called into service.

I favor giving money, soldiers, ships, guns, shells, and whatever else necessary to win this war. I favor any just and honorable solution that will bring this conflict to a speedy and victorious termination, and I hold that the passage of this amendment will in no way retard our victory, which is inevitable.

Mr. DENT. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, the announcement that was made the other day that there were 62,000 commissioned officers in the noncombatant service and a little over that number in the active fighting line was a startling statement to me. I had never taken notice of the requirements of this branch of the service. The discussion has created a great deal of interest that is manifesting itself in a great deal of correspondence. I have had letters from men in the camps which comment upon the situation. Interested in the statement, I sought an interview with one of the officers here in the city with whom I am very well acquainted, and who is identified with a certain activity in the War Department which enables him to speak with authority. I desired to know why we had so many of the "safety-first" men, as they were stigmatized, and how many could be called slackers. He told me last night that this was a great injustice to the men—that the great majority were here by order and would prefer service in the field. He informed me that in his own division he had offered as a sort of premium the promise that he would recommend the officers under his charge for service overseas, provided they reached a certain stage of efficiency. His experience with the men

convinced him that such a prospect would insure a higher degree of service. He said that was the one persuasive, effective promise that he had made, which had resulted in greater efficiency. He also said the stigma of "swivel-chair" soldiers had produced such dissatisfaction among the men that a distinct demoralization had been observed throughout his division.

In another division there was a canvass made as to the number who would like to go overseas, and he told me that 100 per cent reported that they wanted over-sea service. It is significant that this canvass was made before the criticism was made here on the floor. This officer was broken in spirit in that he said that this criticism had so demoralized the morale of the men under him that they had come to a state of mind where they seemed to have no heart in the work here and demanded they be given a chance to go out into the service in the field away from Washington. He also made the statement that at least 50 per cent of those who are here, at least in his division, have been picked out of the camps and ordered here without their own consent. They had been selected on the basis of their record in the camps and were here under orders. They are fretful and insist upon getting from under this criticism which they declare is unjust to them, and they demand that in justice to themselves the criticism ought to be specific and not applied indiscriminately.

Mr. KAHN. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes. I yield to the gentleman from California.

Mr. KAHN. My colleague on the committee, Mr. MORRIS, has just inserted in the Record a letter from The Adjutant General showing that there are only 4,000 of those young officers here in Washington, while the general impression is that there are 15,000 or 20,000 of them.

Mr. FESS. I think that will correct an error also. Many will read the figures used in the criticism as confined to the men in Washington. I have no doubt there are men here in uniform with commissions who have no right to wear them if judged from their merit. No doubt undue influence has been brought to bear upon those in authority to secure preferment. Indeed, my informant assured me there were. He said the staff would be glad, if called upon, to name quietly persons who could be dispensed with, and intimated that congressional influence had been employed to place these men. That such is the case may easily be conceived, and criticism to that degree should be allowed, but it ought to be specific.

Mr. Speaker, just a half moment to say that I think this general criticism is unfair to these men, and there ought to be some caution about these charges. Under modern warfare the number back of the line is not far from that on the line. It seems incredible, but that is the statement of authorities based upon experience in Europe. Then again, these men especially selected for this noncombatant service, where selected by Army and Navy authorities without outside influence, were chosen because of their fitness as displayed in civil life. It is quite apparent that caution was and must be counseled. I agree that where it can be done all the clerical work should be done by those not in draft age. It should especially be guarded against allowing anyone of influence to secure a place for anyone who desires to shirk military duty. This should be the purpose of us all. But it is unfair to the great number of commissioned men here to place them in such a class. In behalf of that group I hope those who make these statements will note the terrible effect in demoralizing our ability to be 100 per cent effective.

Mr. KAHN. Mr. Speaker, in the first place I hope that all of the committee amendments will be adopted. The committee considered the resolution very carefully, and was practically unanimous upon all the amendments that have been reported as committee amendments.

Mr. BARNHART. Mr. Speaker, will the gentleman yield?

Mr. KAHN. I have only five minutes, but I yield to the gentleman. I want to speak on the Hull amendment.

Mr. BARNHART. Mr. Speaker, the gentleman has just finished a statement in which I am interested and from which I infer that he is opposed to any interference with the officers who have been called from civil life and given commissions without any military training or experience. Does the gentleman from California think it is right that these men should be called from civil life and given these so-called "safety-zone" positions without any preparation whatever of a military character, and that men from the trenches who happen to meet them must salute them as their superiors? I am asking for information.

Mr. KAHN. Of course, that question will take me away from the discussion of this resolution which I have been very anxious to discuss. To answer it fully would take more time than I have at my disposal, but I will briefly answer the gentleman. I recognize the fact that the Army of the United States has been

enormously expanded. I recognize the fact that experts are necessary in ordnance, in the Quartermaster's Department, in the Signal Corps, and in many branches of the Military Establishment, especially in the staff departments. Many of the men who fill the technical positions in the ordnance, for instance, are graduates of universities who are scientists; they are needed in the manufacture of powder, in making gas bombs, and in all of those activities in ordnance which are necessary for the winning of the war. At the very beginning many of these young men probably offered their services and showed their special aptitude in those lines. They were given commissions. That is how many of them were commissioned. Now, I will extend my remarks further, if the gentleman desires.

Mr. BARNHART. I hope the gentleman will correct the statement that these men are all college graduates.

Mr. KAHN. I did not intend to say they were all college graduates.

Mr. FARR. May I ask the gentleman a question?

Mr. KAHN. One moment. I want simply to say this about the pending matter. I do not think it is all important whether the Hull amendment be adopted or rejected. But I recognize the fact that we are in war; that we are in a desperate war and will need millions of men—perhaps many more millions than any of us feel at this time the country will be called upon to supply. Then why should we want to tie the hands of the War Department, which will have to furnish these armies? Why should we lay down to them a hard and fast rule under a law of Congress when in the emergencies that may arise during the continuation of the war the time may come when it will be advisable for the department to use its discretion and do that which is best for the country? That is why I shall not vote for the Hull amendment.

A great deal has been said here about young men 21 years of age. Do you not recognize the fact that in our Army to-day we probably have hundreds of thousands of young men who volunteered at 18 years of age? They are on the other side now, fighting for their country. Do you want to pull them out of the Army because they volunteered? According to the logic of the gentleman from Ohio [Mr. GORRISON] and some of the other gentlemen who have spoken for the Hull amendment, the War Department should begin the draft first with those who are 31, then those who are 30, then those who are 29, and so on, until they come to the youngest on the list—those who are 21. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DENT. Mr. Speaker, just a few moments, and then I shall ask for a vote on this resolution. The proposition presented by the amendment of the gentleman from Iowa [Mr. HULL] I shall vote against for the simple reason, as given by the gentleman from California [Mr. KAHN], that it is a matter that should be left to regulation rather than to strict statutory law. I am informed by some members of the Provost Marshal General's Office that the amendment as offered by the gentleman from Iowa will be carried into effect by the War Department unless something happens that will necessitate a change in their minds. I think, therefore, this should be a matter that should be left to regulation rather than to the strict language of a statutory enactment. Now, one other question, Mr. Speaker, and I shall ask for a vote. Nothing has been said in this debate about the action of the committee in striking out the Senate amendment exempting theological and medical students. The committee thought that in registering young men coming of age that there ought to be no exemption. The committee was practically unanimous upon that proposition. It was urged that if we adopt the action of the Military Committee of the House that we will interfere with the education of young men studying for the ministry and the practice of medicine. That same proposition, so far as medical students are concerned, was presented when the original draft law was up last year, and both houses finally agreed to strike out the exemption in behalf of medical students. The President has absolute power as Commander in Chief of the Army to take care of medical students and theological students if this draft should so interfere with them as to affect the number of young men in those two professions.

Mr. ROBBINS. Will the gentleman yield?

Mr. DENT. I would like to finish this.

Mr. ROBBINS. Will the gentleman explain why he omitted from this bill the exemption of medical students and students of divinity, whereas in section 4 of the draft law it says there shall be an exception in their favor. Now the gentleman's committee has stricken out that exception in this bill. Will the gentleman explain that?

Mr. KAHN. If the gentleman from Alabama will permit, I can explain that. The exemptions are of those students who are already in the colleges, but this would exempt those who have gone into colleges since the last draft.

Mr. ROBBINS. Proposes to exempt them?

Mr. KAHN. No.

Mr. ROBBINS. Why are they not entitled to exemption as much as the others?

Mr. DENT. I did not yield for any colloquy. The gentleman from California has exactly explained the matter. The language of section 1 to which attention is called applies to the law as it was passed May 18, and, as the gentleman from California says, the other would extend the provisions of that law to the young men who have become 21 years of age since the 5th day of last June. Now, Mr. Speaker, I want to say one further thing upon this proposition, that if you leave the bill as it comes from the Committee on Military Affairs of the House, I repeat, the President of the United States can take care of the situation just as he did with the medical students under the present law. Besides that, under this law it is not intended and is not contemplated, as some gentlemen fear, that amendment will materially interfere with these students. It is not contemplated that every young man who is preparing for the ministry or for the medical profession shall be taken by the draft. There will be many of them who will not be taken. I think we ought to have a uniform law without any exemptions whatever and leave it to the Commander in Chief of the Army to take care of whatever situation that may arise. Now, Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask for a separate vote on page 3, on the proviso in reference to the two classes—

The SPEAKER pro tempore. Is a separate vote demanded on any other committee amendment?

Mr. WALSH. Mr. Speaker, I think in the ordinary procedure the amendments are voted on seriatim as they occur in the bill.

The SPEAKER pro tempore. That is true, but it occurred to the Chair there would be no objection to voting on those amendments en bloc on which a separate vote is not demanded.

Mr. WALSH. I do not think that is contemplated by the rule. The SPEAKER pro tempore. The Chair does not know of any rule prohibiting the adoption of amendments by unanimous consent.

Mr. WALSH. I think the rule provides in the Committee of the Whole the amendments shall be voted on as they occur in the bill. This is not in the Committee of the Whole.

Mr. LITTLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LITTLE. Providing you put the question and the vote should be negative would there be any further vote on any other separate amendment, or all be defeated?

The SPEAKER pro tempore. All defeated.

Mr. LITTLE. Then I object.

The SPEAKER pro tempore. The gentleman from Kansas objects, and the Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment, page 1, line 3, after the word "That," insert the words "during the present emergency."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 1, line 4, after the word "States," strike out the word "or" and insert "and all male persons."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 2, line 7, after the word "as," strike out the words "in said proclamation may be exempted from registration," and insert in lieu thereof "are exempt from registration under the act of May 18, 1917, and any act or acts amendatory thereof."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 2, line 12, after the word "of," strike out the word "the" and insert in lieu thereof the word "said."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 2, line 21, after the words "United States," strike out the word "or" and insert "and all male persons."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 2, line 25, after the word "as," strike out the words "in the proclamation by the President stating the time and place of such registration may be exempted from registration," and insert in lieu thereof the following: "are exempt from registration under the act of May 18, 1917, and any act or acts amendatory thereof."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 3, line 7, after the word "act," strike out the proviso down to and including the word "President," in line 19.

Mr. WALSH. Mr. Speaker, that is not the proper way to report that amendment.

The Clerk reported the amendment, as follows:

Strike out the proviso, as follows:

"Provided, That students who are preparing for the ministry in recognized theological or divinity schools, and students who are preparing for the practice of medicine and surgery in recognized medical schools, at the time of the approval of this act shall be exempt from the selective draft prescribed in the act of May 18, 1917; and that students entering such theological or divinity schools after the approval of this act and during the continuance of the war, and who would be subject to any future registration as provided for in this act, may upon the recommendation or request of the president or dean of such school be exempt from the selective draft by order of the President."

Mr. JOHNSON of Kentucky. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. JOHNSON of Kentucky. I rise to ask for a division of the subject.

The SPEAKER pro tempore. The gentleman will state it.

Mr. JOHNSON of Kentucky. The amendment relates to two classes of students, one theological students and the other medical students. The suggestion I make is that in line 9 the amendment be voted on with these words out:

And students who are preparing for the practice of medicine and surgery in recognized medical schools.

Now, I ask for a vote on the amendment with that language out.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. DENT. Mr. Speaker, if the question is going to be divided, I ask unanimous consent that the vote first be taken on that clause of the amendment exempting medical students.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that the vote first be taken on the provision exempting medical students.

Mr. FESS. Any Member can demand a division, Mr. Speaker?

The SPEAKER pro tempore. Any Member can demand a division. The Chair was simply putting the request of the gentleman from Alabama for unanimous consent that the vote first be taken on striking out the provision excepting medical students. Is there objection?

Mr. ROBBINS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROBBINS. Will that prevent us from having a separate vote on the exclusion of students of divinity?

The SPEAKER pro tempore. It will not. Is there objection? [After a pause.] The Chair hears none. The question is on the portion of the amendment striking students of medical schools out of the committee amendment.

Mr. SLAYDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SLAYDEN. The effect of that will be, if the motion prevails, to exempt medical students?

Mr. GORDON. No; just the opposite.

The SPEAKER pro tempore. Just the reverse. The Clerk will report the amendment as it would exist in case the request of the gentleman from Alabama is adhered to.

The Clerk read as follows:

Page 3, line 7, after the word "act," strike out the following:

"Provided, That students who are preparing for the ministry in recognized theological or divinity schools at the time of the approval of this act shall be exempt from the selective draft prescribed in the act of May 18, 1917; and that students entering such theological or divinity schools after the approval of this act and during the continuance of the war, and who would be subject to any future registration as provided for in this act, may, upon the recommendation or request of the president or dean of such school, be exempt from the selective draft by order of the President."

Mr. BARKLEY. Mr. Speaker, I think the gentleman from Alabama [Mr. DENT] wanted a vote first on the language with medical students left in.

Mr. JOHNSON of Kentucky. He was reporting it as it would read with medical students stricken out.

Mr. BARKLEY. I thought he was reporting it as it was up to that point.

Mr. McKENZIE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McKENZIE. A vote "aye" on this proposition as now reported by the Clerk means to sustain the action of the Committee on Military Affairs, does it not?

The SPEAKER pro tempore. That is the way the Chair understands it.

Mr. FESS. I think there is confusion here. If we divide the amendment and vote separately, first on one part of the division and secondly on the other part, the regular procedure would be to vote down the part we want to retain?

The SPEAKER pro tempore. The gentleman from Alabama has got unanimous consent to take up the part relating to medical students first. Now will the gentleman from Alabama make a motion so that the Chair may place it before the House as he understands it?

Mr. BLACK. Mr. Chairman, I would like to ask that the language that is to be stricken out be read.

The SPEAKER pro tempore. The Chair just had the Clerk read the amendment with the language left out, as he understood it. Without objection, the language to be stricken out will now be reported.

The Clerk read as follows:

Page 3, line 9, after the word "schools," strike out the following: "and students" who are preparing for the practice of medicine and surgery in recognized medical schools."

The SPEAKER pro tempore. The question is on agreeing to that amendment.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. JOHNSON of Kentucky. Do I understand that the language just read by the Clerk—that is, "students who are preparing for the practice of medicine and surgery in recognized medical schools"—has been stricken out?

The SPEAKER pro tempore. That has been stricken out.

Mr. JOHNSON of Kentucky. And a "yea" vote now would be to retain the rest of it?

The SPEAKER pro tempore. No. Having already stricken out the medical students, now the question is whether you would strike out the divinity students. The question is now on the amendment to strike out the language indicated.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. JOHNSON of Kentucky. A division, Mr. Speaker.

The SPEAKER pro tempore. A division is demanded.

The House divided; and there were—ayes 101, noes 2.

Mr. JOHNSON of Kentucky. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Kentucky makes the point of order that there is no quorum present. Evidently a quorum is not present. The Clerk will call the roll. The Doorkeeper will close the doors.

Mr. DENT. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. There is an automatic call. The Clerk will call the roll. Those in favor of the amendment striking out this language will answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 262, nays 29, answered "present" 3, not voting 136, as follows:

YEAS—262.

Alexander	Browning	Cooper, W. Va.	Elliott
Almon	Brumbaugh	Cooper, Wis.	Ellsworth
Anderson	Buchanan	Cox	Esch
Anthony	Burrongs	Crago	Fairchild, B. L.
Ashbrook	Butler	Crisp	Fairfield
Aswell	Byrnes, S. C.	Currie, Mich.	Farr
Ayres	Byrns, Tenn.	Dallinger	Ferris
Bacharach	Campbell, Kans.	Darrow	Fess
Baer	Candler, Miss.	Davidson	Fields
Bankhead	Cannon	Davis	Fisher
Barkley	Cantrill	Dent	Flood
Barnhart	Caraway	Denton	Focht
Beakes	Carlin	Dickinson	Fordney
Bell	Carter, Mass.	Dies	Foster
Black	Carter, Okla.	Dill	Francis
Blackmon	Chandler, Okla.	Dillon	Frear
Bland	Church	Dixon	French
Blanton	Clark, Fla.	Doollittle	Fuller, Ill.
Booher	Classton	Doremus	Fuller, Mass.
Borland	Claypool	Doughton	Gandy
Bowers	Cleary	Dowell	Gard
Brand	Collier	Dunn	Garland
Britten	Connally, Tex.	Eagle	Garner
Browne	Connelly, Kans.	Edmonds	Garrett, Tex.

Gillett	Lea, Cal.	Peters	Stephens, Miss.
Glynn	Lehlbach	Pou	Sterling, Ill.
Good	Leshner	Purnell	Stevenson
Goodwin, Ark.	Lever	Quin	Stiness
Gordon	Little	Ragsdale	Sweet
Green, Iowa	Lobeck	Raker	Taylor, Ark.
Greene, Vt.	Longworth	Ramsey	Taylor, Colo.
Hadley	Lufkin	Ramsayer	Temple
Hamilton, Mich.	Lundeen	Rayburn	Thomas
Hamlin	McArthur	Reavis	Tillman
Hardy	McClintic	Reed	Timberlake
Haskell	McCulloch	Roberts	Towner
Hastings	McKenzie	Robinson	Treadway
Haugen	McKinley	Rogers	Van Dyke
Hawley	McLaughlin, Mich.	Romjue	Vestal
Hayden	McLemore	Rose	Vinson
Hayes	Madden	Rouse	Volstead
Heflin	Magee	Rowe	Waldow
Helm	Mansfield	Rubey	Walker
Helvering	Mapes	Russell	Walsh
Hensley	Mays	Sabath	Walton
Hersey	Miller, Minn.	Sanders, Ind.	Ward
Holland	Miller, Wash.	Sanders, N. Y.	Watson
Hollingsworth	Mondell	Saunders, Va.	Watkins
Houston	Montague	Schall	Weaver
Huddleston	Moon	Scott, Mich.	Webb
Hull, Tenn.	Moore, Pa.	Sears	Welty
Humphreys	Morgan	Shallenberger	Wheeler
Hutchinson	Morin	Sherley	White, Me.
Ireland	Neely	Sherwood	White, Ohio
Johnson, Wash.	Nicholls, S. C.	Sims	Williams
Kahn	Nolan	Sinnott	Willson, La.
Keboe	Oldfield	Sisson	Wilson, Tex.
Kelly, Pa.	Oliver, Ala.	Slayden	Wingo
Kennedy, Iowa	Oliver, N. Y.	Sloan	Wise
Kiess, Pa.	Osborne	Small	Wood, Ind.
Kinkaid	Overmyer	Smith, Idaho	Woods, Iowa
Kitchin	Overstreet	Smith, Mich.	Woodyard
Knutson	Padgett	Snook	Young, N. Dak.
Kraus	Paige	Stagall	Young, Tex.
La Follette	Park	Stedman	
Langley	Parker, N. Y.		

NAYS—29.

Cary	Greene, Mass.	Linthicum	Riordan
Coady	Hilliard	Loneragan	Robbins
Delaney	Igoe	Maher	Tague
Dominick	Johnson, Ky.	Mason	Watson, Va.
Donovan	Keating	Moore, Ind.	Whaley
Emerson	Kennedy, R. I.	O'Shaunessy	
Gallivan	Kincheloe	Phelan	
Graham, Ill.	Lazaro	Rainey, J. W.	

ANSWERED "PRESENT"—3.

London	McAndrews	Rodenberg
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NOT VOTING—136.

Austin	Gallagher	LaGuardia	Scott, Pa.
Beshlin	Garrett, Tenn.	Larsen	Scully
Brodbeck	Glass	Lee, Ga.	Sells
Burnett	Godwin, N. C.	Littlepage	Shackleford
Caldwell	Goodall	Lunn	Shouse
Campbell, Pa.	Gould	McCormick	Siegl
Carew	Graham, Pa.	McFadden	Slemp
Chandler, N. Y.	Gray, Ala.	McKeown	Smith, C. B.
Clark, Pa.	Gray, N. J.	McLaughlin, Pa.	Smith, T. F.
Cooper, Ohio	Gregg	Mann	Snell
Copley	Griest	Martin	Snyder
Costello	Griffin	Meeker	Stoele
Cramton	Hamill	Merritt	Stephenson
Crosser	Hamilton, N. Y.	Mott	Stephens, Nebr.
Curry, Cal.	Harrison, Miss.	Mudd	Sterling, Pa.
Dale, N. Y.	Harrison, Va.	Nelson	Strong
Dale, Vt.	Heaton	Nichols, Mich.	Sullivan
Decker	Heintz	Norton	Summers
Dempsey	Hicks	Olney	Swift
Denison	Hood	Parker, N. J.	Switzer
Dewalt	Howard	Platt	Talbot
Doelling	Hull, Iowa	Polk	Templeton
Drane	Husted	Porter	Thompson
Drukker	Jacoway	Powers	Tilson
Dupré	James	Pratt	Tinkham
Dyer	Johnson, S. Dak.	Price	Vare
Eagan	Jones	Rainey, H. T.	Venable
Elston	Juul	Randall	Voigt
Estopinal	Kearns	Rankin	Watson, Pa.
Evans	Kelley, Mich.	Rowland	Welling
Fairchild, G. W.	Kettner	Rucker	Wilson, Ill.
Flynn	Key, Ohio	Sanders, La.	Winslow
Foss	King	Sanford	Wright
Freeman	Kreider	Scott, Iowa	Zihlman

So the amendment to strike out was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. GODWIN of North Carolina with Mr. CLARK of Pennsylvania.

Mr. HARRISON of Mississippi with Mr. DENISON.

Mr. MARTIN with Mr. COOPER of Ohio.

Mr. HENRY T. RAINY with Mr. ELSTON.

Mr. SUMNERS with Mr. HUSTED.

Mr. VENABLE with Mr. HICKS.

Mr. BRODBECK with Mr. MEEKER.

Mr. CROSSER with Mr. SWITZER.

Mr. DECKER with Mr. TINKHAM.

Mr. DRANE with Mr. CRAMTON.

Mr. MCANDREWS with Mr. MUDD.

Mr. EVANS with Mr. FREEMAN.

Mr. GARRETT of Tennessee with Mr. GOULD.
 Mr. GLASS with Mr. JUUL.
 Mr. GRIFFIN with Mr. GOODALL.
 Mr. KEY of Ohio with Mr. MCCORMICK.
 Mr. LARSEN with Mr. MERRITT.
 Mr. LEE of Georgia with Mr. MOTT.
 Mr. McKEOWN with Mr. PARKER of New Jersey.
 Mr. OLNEY with Mr. SIEGEL.
 Mr. RANDALL with Mr. PRATT.
 Mr. CHARLES B. SMITH with Mr. SANFORD.
 Mr. STEELE with Mr. STEENPERSON.
 Mr. STERLING of Pennsylvania with Mr. WINSLOW.
 Mr. WELLING with Mr. VOIGT.
 Mr. WRIGHT with Mr. WILSON of Illinois.

Mr. BROWNING. Mr. Speaker, I have a pair with the gentleman from Maryland [Mr. TALBOTT]. I voted "yea." If he were present, I believe he would vote the same way, so I will let my vote stand.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present. The Doorkeeper will unlock the doors. The question is on the amendment offered by the gentleman from Iowa [Mr. HULL].

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the amendment may be again reported.

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa: Page 2, line 16, after the word "act," insert the following:

"Provided, That those persons registered under the provisions of this act shall be placed at the bottom of the list of those liable for military service in the several classes to which they are assigned, under such rules and regulations as the President may prescribe."

The SPEAKER pro tempore. The question is on the amendment.

Mr. LITTLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LITTLE. Does that refer to the boys now becoming 21?

The SPEAKER pro tempore. That is not a parliamentary inquiry.

Mr. GORDON. It does, though.

The SPEAKER pro tempore. The amendment speaks for itself. The question is on the amendment.

The question being taken, on a division (demanded by Mr. FIELDS) there were—ayes 119, noes 81.

Accordingly the amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The joint resolution was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

LEAVE TO EXTEND REMARKS.

By unanimous consent, leave was given to Mr. FIELDS, Mr. DARROW, Mr. FESS, and Mr. JOHN W. RAINEY to revise and extend their remarks in the RECORD.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LEHLBACH, for three days, to participate in the liberty-loan campaign;

To Mr. SIEGEL, for five days, on account of liberty-loan speeches he is to make;

To Mr. SANDERS of Louisiana, indefinitely, on account of important business; and

To Mr. SHOUSE, for 10 days, on account of illness.

ORDER OF BUSINESS TO-MORROW.

Mr. FOSTER. If the House will indulge me for a moment, I desire to say that it is now nearly 5 o'clock, and it seems rather late to go into the Committee of the Whole for the consideration of the mining bill. I want to give notice that to-morrow, immediately after the reading of the Journal, I shall call it up and pass it, if possible, to-morrow afternoon.

Mr. GILLET. Will the gentleman yield for a question?

Mr. FOSTER. Yes.

Mr. GILLET. I infer from the gentleman's statement that the report we have seen in the press that the House will adjourn to-morrow is a mistake.

Mr. FOSTER. I do not know anything about that. I have not had any request of that kind.

Mr. KITCHIN. It is not my intention to move an adjournment of the House to-morrow, but to stay here and do business. [Applause.] I do not think that the parade of the House or the Senate in this demonstration to-morrow would add 10 cents

to the sale of the bonds. I think we ought to stay here and work. [Applause.]

ACCOUNTS AND EXPENDITURES OF THE POST OFFICE DEPARTMENT.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on the Post Office and Post Roads be discharged from the further consideration of H. Res. 307, and that the same be referred to the Committee on Rules.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the Committee on the Post Office and Post Roads be discharged from the further consideration of H. Res. 307, and that the same be referred to the Committee on Rules. Is there objection?

Mr. MOON. Mr. Speaker, I do not know that I have any objection to that motion. This bill was first referred to the Committee on Expenditures in the Post Office Department, which clearly had no jurisdiction of it, as determined by the House this morning. The House sent the bill to the Committee on the Post Office and Post Roads.

I doubt somewhat the propriety of a committee passing upon a resolution which confers special powers and privileges on that committee itself. I doubt, too, whether under parliamentary law this resolution ought to go to the Post Office Committee. For that reason, and for the further reason that it is not strictly a legislative resolution, but one that determines power over the investigation by the House, I think it ought to go to the Committee on Rules. I am not speaking for the Committee on the Post Office and Post Roads, because the committee has had no meeting; but expressing my own views, as chairman of that committee, I see no reason why, properly, this resolution should not go to the Committee on Rules rather than to the Committee on the Post Office and Post Roads.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 9832. An act to authorize the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding \$25,000 for the purpose of constructing dikes, flumes, and other works to confine the waters of Lowell Creek for the protection of said town.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Friday, April 26, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MANSFIELD, from the Committee on Expenditures in the Department of Justice, to which was referred the bill (H. R. 4246) to increase the salary of the United States district attorney for the district of Connecticut, reported the same with amendment, accompanied by a report (No. 513), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PADGETT, from the Committee on Naval Affairs, to which was referred the bill (H. R. 9747) to provide temporary increased rank for officers of the United States Coast Guard while operating as a part of the Navy during the period of the present war, and for other purposes, reported the same with amendment, accompanied by a report (No. 514), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WALTON, from the Committee on Indian Affairs, to which was referred the bill (H. R. 918) for the relief of William E. Johnson, reported the same without amendment, accompanied by a report (No. 516), which said bill and report were referred to the Private Calendar.

He also, from the Committee on Public Lands, to which was referred the bill (H. R. 4239) for the relief of Dora Gaines Delano, and for other purposes, reported the same without amendment, accompanied by a report (No. 517), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 11691) to provide for the purchase of a site and the erection of a building thereon at Marshfield, in the State of Oregon; to the Committee on Public Buildings and Grounds.

By Mr. Sisson: A bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. WELLING: A bill (H. R. 11693) for the relief of purchasers from the State of Utah of lands in sections 2, 16, 32, and 36 in said State; to the Committee on the Public Lands.

Also, a bill (H. R. 11694) to amend the public-building act approved March 4, 1913; to the Committee on the Public Lands.

By Mr. LANGLEY: Resolution (H. Res. 323) increasing the compensation of the majority and minority messengers in charge of telephones; to the Committee on Accounts.

By Mr. SWIFT: Memorial of the Legislature of the State of New York, favoring the entrance of the United States into a league of nations for the preservation of peace; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Memorial of the Legislature of the State of New York, favoring the entrance of the United States into a league of nations to safeguard peace after the termination of the present war; to the Committee on Foreign Affairs.

By Mr. DOOLING: Memorial of the Legislature of the State of New York, favoring a league of nations to safeguard peace after the termination of the present war; to the Committee on Foreign Affairs.

By Mr. SAUNDERS of Virginia: A bill (H. R. 11695) to create a rural credits society and general insurance league to facilitate the increase in farm production, to create two fiscal and financial agents for the Government of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. HUTCHINSON: Resolution (H. Res. 324) to increase the salaries of the two chief pages of the House of Representatives; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANTRILL: A bill (H. R. 11696) granting an increase of pension to Sallie Hager; to the Committee on Pensions.

By Mr. CLASSON: A bill (H. R. 11697) granting an increase of pension to Joseph Martell; to the Committee on Invalid Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 11698) granting pension to Elizabeth Freeman; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 11699) granting an increase of pension to James Norris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11700) granting an increase of pension to Louis G. Murray; to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 11701) granting an increase of pension to Alonzo Matteson; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 11702) granting a pension to Miley Fitzgerald; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 11703) granting an increase of pension to John A. J. Taylor; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 11704), granting a pension to Angellia Meredith; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 11705) granting an increase of pension to Victor Fousse; to the Committee on Pensions.

By Mr. WINGO: A bill (H. R. 11706) granting an increase of pension to Daniel Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11707) granting an increase of pension to Benjamin F. Ford; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 11708) granting a pension to Julia L. Reed; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Letter of the Journal of Commerce, New York City, protesting against the zone system for second-class mail matter; to the Committee on Ways and Means.

Also, resolution passed at Easter week meeting of the United Irish-American Societies, concerning the independence of Ireland; to the Committee on Foreign Affairs.

Also, resolution of the Chamber of Commerce of the United States, favoring a budget system by the National Government; to the Committee on Appropriations.

By Mr. CARY: Petition of Women's Club of Stevens Point, Wis., against increase of second-class postage; to the Committee on Ways and Means.

By Mr. CURRY of California: Resolutions of the Liberty League of Woodland, Cal., petitioning Congress to enact a law to punish persons and organizations responsible for pro-German activities or for the publication or public utterance tending to impede the success of the United States in the war, etc.; to the Committee on the Judiciary.

By Mr. DALE of New York: Protests against the zone system for second-class postage rates by the Board of Commerce, Dunkirk, N. Y.; the Mount Washington Presbyterian Church, New York City; the International Confectioner (Inc.), New York City; the Westminister class of the West Presbyterian Church, Binghamton, N. Y.; the New York State Federation of Labor; and the National Civic Federation, New York and New Jersey section; to the Committee on Ways and Means.

By Mr. DOOLING: Memorial of the Boot and Shoe Travelers' Association against the zone system for second-class postage rates; to the Committee on Ways and Means.

By Mr. ESCH: Resolution of the Chamber of Commerce of the United States, advocating a national budget system; to the Committee on Appropriations.

By Mr. FULLER of Illinois: Petition of the Chamber of Commerce of the United States, for a national budget system; to the Committee on Appropriations.

Also, petition of Mr. and Mrs. F. W. Willoughby, of Rockford, Ill., and of the Tacoma (Wash.) Business Woman's Club, opposing increase of second-class postage rates and the zone system; to the committee on Ways and Means.

By Mr. GRAHAM of Pennsylvania: Memorial of Philadelphia Board of Trade, favoring establishment of a free port system in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. HILLIARD: Resolutions adopted by the Southwestern Millers' League, urging the passage of House bill 10957; to the Committee on Coinage, Weights, and Measures.

Also, petition of Henry B. Smith and 19 others, all citizens of the State of Colorado, urging prohibition as a war measure; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH: Memorial of E. J. Coburn and 111 others, against appointment of United States representative to the Vatican; to the Committee on the Judiciary.

Also, memorial of Elmer J. Conburn and 109 others, of Columbiana County, Ohio, asking repeal of zone postal law relating to newspapers; to the Committee on the Post Office and Post Roads.

By Mr. LUNDEEN: Memorial of the Minneapolis Municipal Nonpartisan League, in convention at Minneapolis, Minn., April 21, asking the support of the President and the Democratic administration for the national suffrage amendment; also asking the Senate's support for equal suffrage in the interest of democracy at home; to the Committee on Woman Suffrage.

By Mr. RAKER: Resolution drawn up and signed by 30 members of the Pearldale Farm Center, Pearldale, Cal., protesting against the zone system and urging its repeal; to the Committee on the Post Office and Post Roads.

Also, resolution adopted by the California Federation of Women's Clubs, requesting prohibition as a war measure; to the Committee on the Judiciary.

By Mr. SNYDER: Petitions favoring partial payments of war excess-profit taxes from Rudolph Schreiber, Blogg & Litaeur, New York City; Frank Gilbert Paper Co., Eddy Valve Co., Waterford, N. Y.; Hiss, McLean & Haskins, Binghamton, N. Y.; Larkin & Co., Buffalo, N. Y.; Bolton Worsted Mills, Methuen, Mass.; Klee Bros., Chicago, Ill.; to the Committee on Ways and Means.

By Mr. WELTY. Petitions of U. M. Cochran et al., of Delphos, and Col. Ed Ammon, of Gordon, Ohio, against increase in second-class postage; to the Committee on Ways and Means.